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THE HUNTER PAMPHLET IS THUS ENDORSED AND NOTICED.

CHAPEL HILL, N. C. (UNIVERSITY.)

JOS. M. MOREHEAD, ESQ.:

Thanks, hearty thanks for your excellent address. I think you have hit the nail plump on the head; have a clear, strong and truthful statement of the men and measures of the War of the Regulation.

Yours truly,

KEMP P. BATTLE, (LL. D.)

"Accept my thanks for copy of your admirable speech on JAMES HUNTER. It is very interesting and instructive."

WALTER CLARK,

Associate Justice of the Supreme Court of North Carolina.

"This will prove strangely stirring reading to those unacquainted with Southern history as well as to the citizens of North Carolina, where Hunter's life was spent."—*Librarian General D. A. R. in The American Monthly, Washington, D. C.*

"A historical paper of great value, written in terse English. The author makes it very plain that the uprising of the so-called Regulators was legitimate."—*North Carolina Christian Advocate.*

The War of the Regulation has not received justice at the hands of historians. Major Morehead establishes the justice of the movement by the testimony of its enemies."—*Webster's Weekly.*

"DEAR MAJOR :—Your speech on JAMES HUNTER is a vivid picture of the stirring times preceding the Revolution. You have entered into the life of that period in your oration, and you write almost like a cotemporary. I thank you most sincerely for the book. It is a genuine contribution to the literature illustrating the heroism and glory of North Carolina patriots.

Yours Truly,

GEO. T. WINSTON," (LL. D.,)

Pres. University of Texas.

“The principal address by the Vice-President of the Association, Major Joseph M. Morehead, is more than interesting; it is an admirable historical document, telling the story of the Regulator’s Movement, * * and how this crystalized into the patriotic revolt and co-operation with other colonies, which culminated in the Revolution and independence of all the colonies. A second enlarged edition has been published. We know of no publication which gives in the same space so much valuable information or a better idea of the events that led up to the American Revolution.” *Wilmington (N. C.) Star.*

“The address contains much historical information and has been sought by many of the literary institutions of the Union. In a most interesting and forcible style this information is collected and condensed for the historian who will appear at no distant day and demand the historical justice due the Old North State.”—*Judge David Schenck, L. L. D., President of Guilford Battle Ground Co., in annual address.*

“Calm and judicial in style and spirit, it is a singularly strong and lucid address. It will necessitate the writing of what has not yet been written, the history of North Carolina.”—*J. D. Hufham, D. D., and author of Baptist Historical Papers, etc.*

This pamphlet, which is handsomely printed, is sold for the exclusive benefit of the Hunter Memorial Fund by Wharton Bros., Booksellers, Greensboro, N. C. Price 50 cents.

ADDRESS

OF

JOSEPH M. MOREHEAD, Esq.,

OF GUILFORD,

ON THE

Life and Times of James Hunter,

“GENERAL” OF THE REGULATORS,

AT

GUILFORD BATTLE GROUND,

Saturday, July 3, 1897.

SECOND CORRECTED AND ENLARGED EDITION.

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ADDRESS.

My Countrymen! Let us recall a few leading facts of North Carolina's Provincial history. In 1765-6 the stamp act troubles arose and ended in the coast counties of the province, the actors therein being the British governor, Lord Tryon, on the one part and the Sons of Liberty on that of the patriots. The abuses of the people that caused the Regulation trouble were existant to an extent at that time, and grew and enlarged for the six years thereafter, culminating in the Battle of the Alamance in May, 1771. Oppression on the part of government and the consequent unrest of the people continuing, the Revolutionary War was ushered in at the Battle of Moore's Creek, February, 1776.

The life and labors of James Hunter cover this period, and a review of these necessitates a review, to an extent, of the Regulation.

We use the expression, a life of Washington, as synonymous with that of a history of the American Revolution; and a correct life of James Hunter will be found to contain a true history of the war of the Regulation—its heroism and sacrifice—and fixed determination to resist tyranny clad in the prestige and paraphernalia of law.

Colonel James Hunter, the father of the subject of this sketch, moved from the North of Ireland and settled first in Virginia. Thence he removed to and settled near Madison, North Carolina, about the year 1740. Among the colonists accompanying him were the Martins, afterwards

of honorable name and fame throughout the colony and State, and also the McFarlands. Previous to his arrival in North Carolina James Hunter, the elder, had married a Miss Martin, the aunt of James and Alexander Martin. From this union sprang the North Carolina patriot, who, according to Governor Josiah Martin, was "the General" of the Regulators—James Hunter, Jr.

"General" Hunter was born on the 8th of April, 1740, and was the eldest of nine children—three girls and six boys. From these sprang the Hunters, Daltons, Ellingtons and many others of the State's most reputable and staunchest citizens. General Hunter himself married a Miss McFarland, daughter of an immigrant, and left a numerous progeny.

Born of an ancestry possessed of ample means and hailing from the Highlands of Scotland, and breathing from his infancy up the elixir of life brewed among the noble Hills of Dan, James grew up to be an intelligent, self-respecting, bold, darkly-red-headed Scotchman who knew his rights and maintained them. Possessed himself of good property and something to lose by rebellion, he was a conservative, sensible man, ordinarily of few words, admirable self-control and of unflinching courage. Letters left behind him, the uniformly intelligent course of his life, and above all, the stand he took among his fellows, and the great control he exercised over them, abundantly attest both his intellectual and moral stamina.

At about the age of twenty-five, according to the written statement of Dr. R. H. Dalton, a grandson still living, he is first heard of away from his comfortable home in command of a company against the Cherokees in some of their murderous forays along the frontiers. At about this period, 1768, Lord Tryon, British governor of the province, together with the legislature and judges, moved by

unholy ambition and unfaithfulness to duty as ruler, had caused and allowed the oppression of the central and western sections of the province to become well-nigh intolerable. So true was this that very many if not most of its best and bravest men, especially those least able to bear outrageous taxation and most liable to wrong at the hands of unscrupulous officials, determined to find redress for the same peaceably if they could, and finally forcibly if they must; which also they did.

The causes that led to the confederation of the Regulators were, First: The want of a circulating medium sufficient in volume for the needs of the province; England prohibiting the colony from emitting a currency that all knew to be essential to its progress. Second: Extravagant taxation by the governor and the legislature, and the failure rightfully to apply and account for the taxes raised. Third: Religious intolerance. Fourth: The speculation and extortion upon the people of officials from the Chief Justice down. (Col. Rec., 8, 395-6.)

I can do the truth of history no greater service than point honest inquiry to the prefatory notes of the Colonial Records of North Carolina by the late gifted and patriotic Saunders. (Vols. 7, 8, 9 and 10.)

From these rather recent reproductions of the originals in the British archives and elsewhere, a few extracts will prove that from the beginning to the end of these troubles right and justice were on the side of the Regulators, their enemies being their judges. We quote first from Lord Tryon himself.

In a letter misleading, explanatory and apologetic upon its face, he writes the home government in England and says:

“To say that the insurgents had not a color for their shewing dissatisfaction at the conduct of their public offi.

cers would be doing them an injustice; for on a prosecution in the Superior court carried on by the Attorney General by virtue of my directions, both the register and clerk of the court were found guilty of taking too high fees." (C. R. Vol. 7, p. 884.)

The officer here found guilty of extortion and corruption in office was the infamous Edmund Fanning. An advisari was taken by the court and the culprit never punished, though three regulators, "all that were tried,"* were convicted, fined heavily and imprisoned; and Fanning was advanced by Tryon.

Governor Josiah Martin succeeded Tryon in the governorship of the province in August, 1771, just after the battle of the Alamance, fought on the 16th of May preceding. Governor Martin, though commissioned several months previously, failed, because of sickness, to arrive within the province until the 11th of August. Meanwhile the battle had been fought and Tryon had gone to New York. On the 15th, four days after his arrival in New Berne, Martin wrote the home government in regard to the recent suppression of the Regulators and Tryon's connection therewith as follows: "The ability and address with which that gentleman has acquitted himself leaves me nothing to lament on the public account, but for myself I feel sensibly in being precluded all share of the honor attending this very seasonable and glorious exertion of the loyal spirit of this province, so happily directed by Mr. Tryon to secure respect to the laws and to give vigor and stability to his Majesty's government, &c.," (vol. 9, 16-17.) But the next August, 1772, Martin visited Hillsboro and Guilford, the "hot-bed" of the Regulators, according to Tryon, and on the 30th of that August he wrote home to this effect: "My progress, my Lord. through this coun-

*Col. Rec., 7, 885.

try has opened my eyes exceedingly with respect to the commotions and discontents that have lately prevailed in it. I now see most clearly that they have been provoked by insolence and cruel advantage taken of the people's ignorance by mercenary, tricky attorneys, clerks and other officers, who have practiced upon them every sort of rapine and extortion; having brought upon themselves their (the people's) just resentment they engaged government in their defence by artful misrepresentations, so that the vengeance of the wretched people aimed at their heads was directed against the constitution; and by this stratagem they threw an odium upon the injured people that by degrees begot prejudice which prevented a full discovery of their grievances. Thus, my Lord, as far as I am able to discern, the resentment of the government was craftily worked up against the oppressed; and the protection, which the oppressors treacherously acquired, where the ignorant and injured people expected to find it, drove them to acts of desperation and confederated them into violences, which your Lordship knows induced bloodshed, and, as I verily believe, necessarily.

"Inquiries of this sort, my Lord, I am sensible are invidious; nor would anything but a sense of duty have drawn from me these opinions of the principles of the past troubles of this country." (vol. 9, 330-610.)

Earl Dartmouth, then Secretary for the Colonies, replied: "I have not failed to give attention to the remarks you make upon the state of the back settlements, the temper and character of the inhabitants and your own opinion of the origin of these discontents, which produce such disagreeable consequences; and I must confess to you that I see but too much reason to believe that those deluded people would not have been induced to involve themselves in the guilt of rebellion without provocation. But it is

neither fit nor necessary for me to recur to transactions of so disagreeable a complexion, not doubting that the late Governor had examined into and redressed their grievances," etc. Whereas the late Governor had done nothing of the kind.

One of Tryon's three Superior Court Judges, who was first to recommend bayonets and bullets, and declare the paralysis of the civil arm, and who condemned to speedy death the unhappy prisoners taken at the Alamance, is accredited with the authorship of the Atticus letter (Moore's History of North Carolina, vol. 1, page 100; Col. Rec. vol. 8, page 718). This letter was written November, 1771, after Tryon had left the province. It was addressed to Tryon, now Governor of New York, and from it we make these extracts: "Your active and gallant behavior in extinguishing the flame you yourself had kindled does you great honor."

"It seems difficult to determine in which your Excellency is most to be admired, for your skill in creating the cause or your bravery in suppressing the effect."

Governor Josiah Martin had been instructed to issue, upon his arrival within the province, writs for the election of a new legislature to succeed that of the spring preceeding—1771. He assembled the old legislature, however, under the advice of Tryon and Hascell of the Council (vol. 9, p. 17). It devolved upon this body to meet the expenses of the war it had just waged—that is, pay themselves largely—which it was believed no other would. Governor Martin's language on the point is this: "It was however necessary to keep that to provide for the present exigencies; since it is universally agreed that a future assembly would not have been found to do it." (vol. 9, 76) Many—"a majority"—(vol. 9, 17)—of this legislature had been at the battle of the Alamance and had

accompanied Tryon in his tour westward enforcing the oath of loyalty, &c.

Having assembled at New Berne, then the seat of government, on Nov. 19th, 1771, they requested of the Governor a general pardon of all offences of all Regulators with an exception of three individuals only, and went to work perfecting the identical measures advocated by the Regulators so long and so ineffectually. (Journals of the assemblies of 1769 and '70-'71.)

Governor Martin having arrived in New Berne in August and remained there till November and having been in communication with Tryon only before his arrival he was of course imbued with their ideas and views and in fact party spirit between Tryonites and Martinites, soon to become bitter, had not yet arisen. Nevertheless he had learned the true cause of the recent war, for in his address to the legislature of Nov. 19th, '71, having congratulated them—"that tranquility and good order have succeeded tumult and violence, which during some time had disturbed so fair a part of this province—" he says—"I most heartily congratulate you gentlemen on this event; and I take the first occasion to recommend to you in the most earnest manner to consider of an effectual means to prevent future evils of a like nature; to this end it appears to be necessary to give all force and vigor to the laws; to obviate all just grounds of discontent to the people that shall be found to exist; to give them the fullest evidence that is possible of the just administration of the public finances; to correct as far as human prudence may all manner of abuses; and above all things to give every facility to the administration of justice." (Col. Rec. vol. 9, 101-2.) Taking no umbrage at this the legislature promise in reply—"to provide effectual means to prevent future evils of a like nature; and we shall rank amongst the first objects of

our attention the several matters which your Excellency has recommended as necessary for the attainment of that end." (vol. 9, 104.)

These declarations of Tryon, of his judge, of Governor Martin, the confessions of the home-government and the actions of this legislature establish beyond cavil the righteousness of the Regulator's cause.

But the plea of Tryon and the legislature and of their apologists to this day is by way of confession and avoidance. Admitting the justice of the people's complaint and the lawfulness of their proceedings at first, the allegation is that the association or confederation had degenerated into an uncontrollable, dangerous mob despising all law and order, and that having changed their originally righteous into unrighteous purposes they ought to have been suppressed by arms.

In reply we ask had their original grievances been redressed?

On the contrary their lawful assembling of themselves and respectful petitionings^t to the Governor, the legislature and the court had been met with only criminal or designed neglect and the most tyrannical denunciations. According to Governor Martin's statement, and as the records show, their unredressed wrongs had been greatly aggravated by cruelty and insolence.

But had the organization degenerated into a mob subject to no control and upon wild and mischievous purposes bent? Had it become, as is charged in the latest and completest History of the State, "an intolerable nuisance? An impediment alike to legislation and the administration of public justice" (Moore, vol. 1, p 127.) Of this court to the administration of "public justice" by which the Regulators finally put an end after years of forbear-

*Colonial Records, 8, 74-81.

ance, Mr. Moore himself says, that the records of Hillsboro court are witnesses—"of eternal shame resting upon this court? (p 118). "They allowed Governor Tryon with his loose morals and bad passions to sully the reputation of a court that might have been illustrious for rectitude as it was for the real learning of its judges" (119). That there is "proof positive that on the name of"—two of the three members of the court---"should lie the odium of an infamous defeat of justice" (119). And it may be added that the third, according to the evidence, was the most thoroughly and naturally hated judge of the three.

There certainly is intelligent purpose and there is method in the madness that would impede the so-called administration of justice by a court of which there was "proof positive" that it was corrupt; and where peaceable remedy has failed, mankind justify and applaud resort to violence.

In this connection let us observe, that so late as the fall of 1770, at the most exciting period of the disruption of the court at Hillsboro, James Hunter urged Judge Henderson, then upon the bench, to proceed with the long delayed causes of the Regulators and assured him of his own personal safety. Certainly no indignity was offered the judge, which would seem to be proof that Hunter and others still had the crowd well in hand.

However, this charge of intolerable demoralization is fully disproven by proceedings had at Salisbury on March 7th, 1771, about two months only before the battle. This was a meeting of the civil officers of Rowan county and the Regulators. I reproduce in full the papers then and there drawn up between the parties.

"We, the subscribers, officers of Rowan county, now met at Mrs. Steel's, with a committee of the people called Regulators, now assembled at the meeting for a redress of grievances of officers' fees and disputes, to-wit: Mr.

James Hunter, Daniel Gillespie (and others) to receive the proposals that shall be offered by the several officers for the approbation of the people, who are desirous of nothing more than justice and peace with every person whatsoever; and that all debates hereafter may subside, now the several officers hereto subscribed do here agree to settle and pay unto any and every person within the county any and all such sum or sums of money as we or our deputies have taken through inadvertence or otherwise over and above what we severally ought to have taken for fees, more than the law allowed or entitled us to receive, without any trouble or law for the recovery of same. And it is further agreed by the committee that when any debate may arise that all persons within this county do give in their demands to such person as shall hereafter be appointed by the people in each neighborhood to see the same and to be determined by the several gentlemen jointly and unanimously chosen between the parties, to-wit: Matthew Locke, Harman Husbands, James Smith, James Hunter, Samuel Young, Thomas Pearsons," (and others;) "and their determination to be final end to all differences whatever, and that they meet at John Kimbrough's on the third Tuesday of May next. Given under our hands this 7th of March, 1771. John Frohawk, C. C., William Frohawk, D. S., Griffith Rutherford, S., Thomas Frohawk, C. S. C., Alexander Martin," and others.

In a letter to Tryon from Salisbury of March 18th, Alexander Martin says of these proceedings (vol. 8th, 535): "This proceeding we expect will have more effect upon their minds than all the formalities of law whatsoever, as they would suggest that they had had injustice done them. They want, they say, to converse with the officers who have taken their money to satisfy them for what (this is surely reasonable) and they will all be quiet again.

This we have undertaken to do, and time must produce the effect. If our hopes and wishes be not too sanguine perhaps this may be the foundation of putting an end to all future tumult and disorder." This is signed by John Frohawk and Alexander Martin.

The Regulators "urged very hard and strenuously" (vol 8, 520) to be led against troops then within the town and if from that fact it be inferred that our brave forefathers then and there intended to force justice at any cost, to their everlasting honor be the fact promptly admitted. But, as we see, they were restrained, and with a perfectly legitimate and praiseworthy end in view, their proceedings were had decently and in order. They had neither lost their moorings, nor were they sailing without a compass.* James Hunter was present and still in charge. Of Hunter some twelve months later, March, 1772, Governor Josiah Martin wrote home: "Hunter was a most eggregious offender; he was the leader of the insurgents in arms, and was called their general and has appeared from the beginning a ring-leader in sedition. He is said to have a better capacity than his associates, who pay him implicit obedience and treat him with a respect savoring of enthusiastic reverence" (vol. 9, 269).†

Daniel Gillespie was there, whose whole life attests the

†NOTE—The above reference is good reading. Col. Sanders regarded Rednap Howell as "head and front of the movement"—(Vol. 8, pref. 26), in which I think him mistaken. Martin's opinion seems to be clearly sustained by the general facts, and certainly is by Caruthers, who got his information from the Regulators themselves. (See Life of Caldwell, page 163). Hunter was their "leader in arms," and in both council and in camp was "a ring-leader in sedition." Howell effectually ridiculed Fanning & Co., in his verse, but Husbands was preeminently the agitator, while Hunter was the man of action of them all. See Howell's own statement (Life of Caldwell, 130.)

*In 1776 overzealous Whig officials outraged common prudence (vol. 10, 786). So did Wm. Fields in 1771 (vol. 10, 1019). See Hunter's admirable letter. He went to Salisbury, in '71 to establish rule for chaos.

firm, wise and judicious conservatism of the man. He was afterwards in the convention that framed the State and adopted the Federal Constitution* and was an elder in one of Dr. Caldwell's churches, as James Hunter was a member and afterwards an elder in a church of his own building. The Regulators here appointed on their committee their old leaders, Hunter, Person and others. It is true, and we joyfully proclaim it abroad, that as time had elapsed between 1765, the beginning of these troubles, and 1771, and as their repeated peaceable and lawful efforts had failed them, these brave men had proven themselves equal to the emergency and had risen with the necessity for stronger measures.

Had Tryon done his duty at this juncture---March, 1771---by Alexander Martin, Hunter, and others, law and order coupled with justice would have instantly reigned and left him no excuse for polluting with the blood of patriots the pure waters of the Alamance. The Regulators were endeavoring after an equitable and just system of government for the community; arbitration, the last that was left them.

But personal prefferment at the hands of the King was the end Tryon had in view and the wise efforts of these good men were to bear no fruit. As proof of this and as a vivid picture of Tryon's imperious spirit I cite his reply to Alexander Martin and Frohawk:

"NEW BERNE, 5th day of April, 1771.

"I have received your letter of the 18th of March respecting your negotiations and agreement with the Insurgents. If you have abused your public trust it is your duty to give satisfaction and make restitution to the injured. As for my own part I entertain a just abhorrence of the conduct of that man who is guilty of extortion in the execution of his public character. The mode, however, of your agreement with the Insurgents, including officers who are amenable only for their public conduct to the tribu-

*Life of Caldwell, p. 171.

nals of their country, is introductory to a practice most dangerous to the peace and happiness of society. On the 18th of March last it was determined, with the consent of his Majesty's council, to raise forces to march into the settlement of the Insurgents in order to restore peace to the country upon honorable terms and constitutional principles. This measure is not intended to impede nor has it the least reference to the agreement between you gentlemen and the Regulators, though it is expected in the execution of it more stability will be added to our government than by the issue of the convention ratified at Salisbury. I am, gentlemen, &c.,

WM. TRYON."

Though brilliantly caustic that, aimed in part at a man—Alexander Martin—destined thereafter repeatedly to be speaker of the Senate, many times to fill the gubernatorial chair of North Carolina, and later to become a Senator of these United States, it was, nevertheless, under the circumstances, unconscionable and heartless.

But, if we grant any and all alleged increase of violence and demoralization, still the effort to base Tryon's anxiety for war upon these is hollow pretense. Before Husbands' "insinuation" at New Berne in Dec. 1770; before the disruption of the court at Hillsboro, or even before Judge Moore had pronounced the courts powerless in the Spring of 1770, the character of this man and his bloody purpose were apparent and fully understood by the Legislature. At a council of war held at Hillsboro so early as the summer of 1768, Tryon being absent because of temporary sickness, it was determined to pardon all Regulators, a few leaders excepted, and take their bonds for their good behavior. Upon hearing this Tryon asked for or demanded a reconsideration of their finding; and suggested in its stead instant war. The court reconsidered, but rejected the suggestion of war. The same proposition from the same source was again rejected even by his council, the second and last time this body ever thwarted his will, I believe.

The people's resistance to wrong was the occasion, but the cause of this war lay in the breast of an ambitious and

tyrannical ruler, the subserviency of his legislature, its quasi hostility to the new-comers in the West and in its passion based on offended dignity.

Tryon was the creature of his age and environments. The King and ruling classes of England at that time had no proper regard for the rights or even the lives of the common people. Within this century, as I remember, the great lawyer, reformer and humanitarian, Sir Samuel Romily, found them being driven daily in herds to the gallows—one of them at least, and a woman, for the trifling offence of stealing a pocket handkerchief.

Mr. Moore affirms: “No fact is more discreditable in our history than the ascendancy which Tryon then demonstrated over men who should have been wise enough to have scorned him as he deserved.” (Vol. 1, p 123.)

If, as he says, the governor was false and tyrannical, the court guilty of “infamous” servility from the bench and the speakers of the assembly—“John Harvey, Richard Caswell, John Ashe and many other brave and reverend men,” (122,) were obsequious to “degradation,” surely the people were justified in refusing obedience to their ruinous mandates and ought, had the power been theirs, to have driven them from the province.

Naked charges like the above, however, are well calculated, though true, to affix to the memory of these, in many respects great and noble men, an obliquy they do not deserve. Be it remembered that they, like their fathers before them, were the born subjects of Great Britain one hundred and fifty years ago; and thus to measure them by the standard of to-day is of course to hold the individual responsible for the infirmities justly chargeable to the age in which they lived. These charges are quoted and thus reproduced here in vindication of other North Carolinians who rose superior to their age.

In this connection we cannot but see in the war of the Regulation another proof that the liberties of any people are safest in the hands of its great middle classes---both as regards their maintenance intact and their perpetuity. Compelled to personally supervise and attend to their several private occupations in life, these men are strong in body and healthful in mind and spirit and frequently in morals beyond others; and being moderately circumstanced they have something to loose but feel keenly and quickly the abuse of government. On the other hand not having yet attained to court circles they are tempted by neither powerful appeals to cupidity nor ambition to stoop to either the frowns or blandishments of power. Of those prominent among the Regulators Rednap Howell was an instructor of youth and an intelligent man for his times; Herman Husbands was a country preacher of unusually clear and strong mind, exceedingly impatient and restive under oppression and the owner of a comfortable country home abundantly sufficient for his own and his family's necessities. Of William Butler I know little else than that he was a brave and thoroughly sincere man, and the brother of Gen. John Butler, of Orange; James Hunter was an early type of that excellent and influential class of citizens---the planters of Western and Central North Carolina---who, with their successors, gave the State an enviable reputation for intelligent conservatism in politics, manners and morality---the freest and the purest of men---and who established on their fertile acres hospitable homes, where they lived and reared their families.

There was criminal failure properly to legislate for the province throughout these cruel years, responsibility for which devolved upon the governor or legislature---one or both.

Into the justice of the charge that the Regulators were

an "impediment to legislation" of the times, let us now inquire. The small coast county of Pasquotank, with a population of 433 white men eighteen years of age. had five representatives in the lower house of the legislature. Orange and Rowan combined—the home of the Regulators we may say--extending from about Raleigh westward indefinitely across the mountains, with a like population of 6,487, had four representatives. Chowan, with a population of 571, had five; Currituck, with 709, had five; Perquimans, with 455, had five, and Tyrrell, with 594, had five (C. R. Vol. 7, pp. 146, 283, 539).

That is to say, Orange and Rowan combined had four representatives to a population of 6,000, while the five small counties above had 25 representatives to a population of 2,000. In the Upper House or Council the West seems to have been ignored. To strengthen earnest men in the legislature too weak to force reform of abuses ever promised but never fulfilled, to remove officials ever reprimanded but never displaced, and to stop the levying of cruelly extravagant taxes, under an unfair system (vol. 8. 14-17 Pref. Notes), that had grown simply beyond their ability to meet it, the Regulators entered into a solemn compact to stop the payment of all taxes other than "what were agreeable to law and this of course could not be known till the public accounts were settled." (Vol. 8. 637 and elsewhere.) *This finally resulted as the Regulators had foreseen and intended it should, but unfortunately too late for a number of themselves. In January, '71, Cornelius Harnet, a most influential member from Wilmington, chairman of committee on grievances, reported: "That the several officers of this province by extorting, exaeting and receiving greater fees than the law allows is a very great griev-

*Taxation for debts already paid: see Pref. Notes, vol. 7., 12, 13 and 17, and vol. 7., 983, and Appendix, A.

ance; and unless prevented in the future may be of dangerous tendency." That the taking fees on certain bills "in either house of the assembly is a grievance and not warranted;" that the method of prosecuting certain causes in the courts "is a very great grievance and tends only to enhance and increase the fees of attorneys, sheriffs, clerks, &c."—"that the Regulators by obstructing the sheriffs of the frontier and other counties, by rescuing goods taken by distress for public taxes and their opposition to the courts is a grievance detrimental to society and manifestly tends to distress the peaceable and loyal subjects of the province who are compelled to pay the taxes for the support of the government." And Mr. Harnet recommends that "their leaders be compelled by Law to answer for their conduct." "Concurred in."

Thus so late as Jan. '71, Cornelius Harnet says and the legislature say the proper course for the legislature to pursue is to redress the people's wrongs, and that then the courts will assume their wonted sway. (Vol. 8, 388-9.)

In connection with this deliverance of the legislature of Dec. 1770, and Jan. '71, hear that of Tryon in his address the fall before. For three years he had urged in vain a remedy—to use his own language—"for expelling that cloud which has ever obscured the public accounts of the province. The community will then cheerfully pay the public levies, satisfied they are fairly adjusted and applied to the service intended." (Vol. 7, 88.) "The plan I laid before you for the public funds, if accepted by the legislature, will produce the happiest effect to this country ever experienced; though the only act passed in the session. But this blessing is not to be obtained for this country while the treasurers, late sheriffs and their sureties can command a majority in the lower house." (Vol. 7, 140.) *These are declarations of both the legislature and of Tryon*

that an adequate and the proper remedy for pacifying the Regulators was—justice at the hands of their rulers; that war was unnecessary; and being unnecessary it was therefore criminal.

To this legislature of '70-'71 that finally made war upon the people, the Regulators had elected Husbands from Orange, and Thos. Person from Granville—the last certainly as good a man as the province contained. Soon after the assembly met, Person was bitterly attacked; he was vindicated however and the charges pronounced to be malicious, and the prosecutor saddled with the costs (afterwards remitted however.)*

Two days afterwards Husbands was also arraigned before the house on the charge of libel, for the publication of a caustic letter, bearing the signature of James Hunter and addressed to Judge Moore, all by predetermination as Tryon's address shows. A jury speedily assembled, pronounced the publication to be "no libel." (Vol. 8, 494 and 511.) But Husbands was expelled† nevertheless for an insult, among other things they said to the legislature§ for insinuating that if under these circumstances they imprisoned him the Regulators would release‡ him.

Such would seem the ability of the Regulators to impede and such the manner in which they "impeded" legislation.

From the strangely inconsistent course of conduct pursued by Judge Maurice Moore throughout these years the inference is drawn (Moore's History Vol. 1, p. 131, Note),

*Ashe attacked Person, October 1769, (vol. 8. 118.)

†Col. Rec., Vol. 8, 269.

‡Col. Rec., Vol. 8, 500—"Only view of Regulators was to release." their imprisoned representative. Tryon knew, 20th Feb. they had dispersed and had forced a quasi vote of war, before there was any purpose on the part of the Regulators to march to New Berne.

§Col. Rec., Vol. 7, 629, Legislative dignity vindicated.

that theirs was indeed a bad cause and that the Regulators themselves were the "host of scoundrels" the Judge pronounced them to be. As we see it the recorded events of the period, as transmitted and now in hand, seem to show this inference to be based upon false premises, and most unjust to the Regulators; and that if the course of Judge Moore reflected unfavorably upon any one it was upon himself alone.

"His sympathy for their distresses classed him as a Regulator," (Moore's History, vol. 1, p. 100). That he, "their best friend in all the province, should have conceded the necessity for Governor Tryon's coercive measures is the most pregnant circumstance in all that unhappy year in vindication of the stern policy so recently adopted," (Vol. 1. p. 131) Let's inquire into the correctness of this. Tryon writes: "28th of April, 1766, I have suspended Mr. Maurice Moore from the office of assistant Judge for the district of Salisbury for his intemperate zeal and conduct in opposition to the Stamp Act. The commission of assistant Judge I have given to Mr. Edmund Fanning." (vol. 7, p. 199). Who qualified in March, 1766, (191). Fanning declining to serve longer in March, 1768, (vol. 7, p. 698), Judge Moore had been reinstated upon the bench Tryon writing March 12th, 1768: "The former gentleman (Moore) I suspended during the late disturbances in the colony. His proper conduct and behavior since that period and the British act of grace subsequent to those troubles induced me with the approbation of my council to reinstate Mr. Moore in his office." (Vol. 7, p. 697).

The disturbance in Orange increasing and "being ascribed to me as its author and encourager"—as the Judge says, he declared (Aug. 1768), "I have been calumniated before but never so capitally as in this instance. I assure you it gives me much concern in spite of the consolation a clear

conscience gives me. I never knew or ever in my life, as I know of, even saw any man or men engaged in this unlucky affair, except Hunter and Howell, and I made you fully acquainted with the advice I gave them." (Wheeler 101). This was addressed to Fanning.

At a Superior court for Rowan Judge Moore presided with the other two Judges Tuesday, September the 6th, following. (Vol. 7, 838). On the 13th we find this entry in Tryon's journal: "Maurice Moore, Esq., is appointed Colonel Commandant (with rank of Colonel) of a Troop of Gentlemen Volunteer Light Dragoons." (Vol. 7, 829). Thence they marched to Hillsboro and we find: "Hillsboro Camp, 23rd—Colonel Moore's Light Dragoons—in King street, opposite Headquarters," (Vol. 7, 834). On the next day, the 24th, Judge Moore takes his seat upon the Superior Court bench when Edmund Fanning and William Butler, Hunter and other Regulators were arraigned before the court with what result is known and read of all men. (vol. 7, 843). Col. Moore had sat in the council of war on the 22nd and 23rd. (Vol. 7, 842).

In March, 1770, he announces the paralysis of the civil arm of government, in a letter to Tryon, in these words:

"This is an evil, Sir, no civil process can remedy—the reason is obvious, none such can be executed—I have therefore recommended to the sheriffs to petition your Excellency and the assembly at its next meeting on this subject, and I wish it may not be found necessary to redress them by means equal to the obstinacy of the people who have given occasion for it." (vol. 8, 192).

This to the tyrant, the weight of whose "iron fists" he had himself felt for two years, and whose anxiety for war upon the people he had witnessed at Hillsboro in 1768, being himself a member of the council of war then and there held, (vol. 7, p 842). He wrote February 22nd,

1771, "signifying his desire to be present at the court (soon to be held) when the Insurgents are to be tried." (Tryon's letter, February 27th, 1771, vol. 8, p. 694).

In June, 1771, the court were found "waiting (at Hillsboro) to try the persons taken in battle (Alamance). Twelve of fourteen tried were capitally convicted as traitors and two acquitted," who "established their innocence, one day being given." (Atticus Letter). (8,650).

In December, 1770, a committee of seven—"Messrs. Howe, Johnston, Maurice Moore (and four others) were appointed to prepare an address in reply to His Excellency's—Governor Tryon's—speech and report." (8,306). "Mr. Maurice Moore informed the House that the said committee had prepared the same, which he read in his place and delivered in at the table," (8, 311), being its author it is inferred. This address concludes in this language, Tryon having been granted a leave of absence from the province by the King :

"Your approaching departure from your government is a circumstance truly detrimental to the interest of the province, and is justly to be lamented. It is a misfortune peculiar to this country that as soon as its governor has become acquainted with its constitution and the temper of its inhabitants he is, by some ill-fated means or other, removed from us. Nothing, sir, on this afflicting occasion, can afford us consolation but the firm reliance that the well-known benevolence of your disposition and friendly concern for the welfare of mankind will dispose you to use the influence your merit and station justly entitle you to in favor of the constitutional liberties of North America in general and the interests of this province in particular. Your steady and uniform endeavors to render every service to this country have a just claim to the warmest return of gratitude and respect; and whithersoever you may

go you have the united and unfeigned wishes of this people for the peace and happiness of yourself and family." (Vol. 8, p. 311)

This was followed the next fall, Tryon having left to assume the government of New York, by the Atticus letter, regarded as unsurpassed invective.

Notwithstanding the facts that Judge Moore personally read and delivered in the above address, and is believed to have written it, still the committee was as such partially responsible therefor; but his friends claim that the conception and publication of the letter were his exclusive, personal acts. We give a single extract:

"You (Tryon) took the field in September, 1768, and published an oral manifesto, the substance of which was that you had taken up arms to protect a superior court of justice from insult. Permit me here to ask you, sir, why you were apprehensive for the court? Was the court apprehensive for itself? Did the judges or the Attorney-General address your Excellency for protection? So far from it, sir, if these gentlemen are to be believed, they never entertained the least suspicion of an insult, unless it was that which they afterwards experienced from the undue influence you offered to extend to them, and the military display of drums, colors and guards with which they were surrounded and disturbed. How fully has your conduct on a like occasion since testified that you acted in this instance from passion and not from principle."

Remembering the prompt assistance as colonel commandant of volunteer Dragoons, judge upon the civil bench and judge in the council of war, rendered by the writer in this campaign of '68, and at Hillsboro in June, '71, we confess to astonishment at this public excoriation of Tryon. It came too late, however, either to help the dead or blacken their memory.

In consequence of Judge Moore's letter to Governor Josiah Martin so late as January 9th, 1776, suggesting accommodation between England and the colony on certain terms, (vol. 10, p. 395.) (Martin's reply, vol. 10, p. 398) Martin in a letter home declares Moore to be "whimsical" in politics and that "caprice and fickleness" were characteristic of the man (vol. 10, p. 400). As to the correctness of Governor Martin's estimate of Judge Moore's character, the reader will form his own conclusions from the facts in the case.

A number of good men, "in no wise connected with the Regulators," assigned as a reason for Hunter's pardon, chief of the Regulators, that he was humane and compassionate. (Vol. 9, p. 86). The Regulators, a large body of wronged and long deceived men, embracing every element of society, whipped a few of their oppressors, taking the life of not one; but to pass the "infamous" Johnson bill, to shoot down and hang the heroic and the helpless was reserved for the more aspiring and powerful few. (Life of Caldwell, pp. 163, 166)

Criticisms of the patriotic labors of Mr. J. W. Moore are here thus candidly indulged in, because Mr. Moore's work is entitled a History of North Carolina. Being the latest and most complete history of the State extant, it will be accepted as authoritative. It, therefore, becomes important that its errors be corrected, if any such it contains.

Finally, if it had in fact become necessary to suppress with arms these desperate men, the responsibility therefor devolved upon those who administered the fearful corrective. They and those under their control were virtually the legislature as then constituted; and that the necessary physical as well as political power to have redressed all grievance was theirs is manifest. For only five years before this, their own dignity and interests being menaced,

they had promptly set at naught Tryon's authority and imprisoned his person (vol. 7, p. 172);* and a little later on had driven his successor from his capital and the province.

It were a suicidal and most ungracious folly for any North Carolinian wantonly to reflect upon those Revolutionary leaders to whose noble efforts the State is so largely indebted for both its freedom and honorable fame. Nevertheless their treatment of the Regulators was an outrage and here to justify the guilty is to wrong the innocent and equally meritorious, and to deprive the present generation of a lesson to which it is entitled.

In this controversy men must take sides. They cannot justify both the Regulators and those who made war upon them. Efforts at different times and upon different grounds so to do have failed.

Dr. Caruthers with the light before him (O. N. S., p. 31, Series 1), "vindicates Caswell, Ashe," and others, upon the grounds of their ignorance of that true state of affairs which, in his opinion, justifies the Regulators. These gentlemen, under parliament, possessed and tenaciously held to the power, and so voluntarily assumed responsibility for the conduct of the affairs of the people of the province. They had ample opportunity to have correctly informed themselves, and if they were in fact ignorant, ignorance under the circumstances was only less criminal than wilful wickedness.

Caruthers says: "The conduct of these patriotic men in aiding the governor to put down the Regulators admits of ample vindication. Of course they could not be expected to know the imposition practiced upon the people further back, and therefore they were justified in lending their co-operation."

*Col. Rec., vol. 7, p. 127.

Let's inquire how this was. Mr. Ashe was speaker of the Provincial Lower House in 1765, when Tryon assumed the governorship. From October, 1766, to January, 1771, Messrs. Harvey and Caswell successively held that position. Throughout these years Harvey, Caswell, Harnet and others continuously sat in the legislature, and a part of the time with Thomas Person. Person was an able, courageous, and from his wealth and other causes, influential man. He was a Regulator and the representative, from Granville, of the Regulators.* The Nutbush papers were issued from Granville June 6th, 1765 (Vol. 7, p. 90). These published papers, together with the published "advertisements" of the Regulators following on year after year, clearly set forth the grievances of Person's constituents. From these facts alone the plea of ignorance will not be entertained.

But we are not left to inference. The stench of corruption and oppression in this country had reached England. Upon his appointment to the governorship Tryon received instructions from England to this effect, (7, 139):

"You are hereby strictly enjoined and required forthwith to cause fair tables of all fees legally established within the province under your government to be fixed up in every public office within your said government (not effected April 12th, 1772, 9, 279),—and also to publish a proclamation—expressing our indignation at these unwarrantable and dishonorable practices and strictly enjoining and requiring all public officers whatever from receiving other than lawful fees."

On the 15th of August, 1765, Tryon writes home that "they (the legislature) did not enter into an examination of their public funds; I shall, however, recommend again the necessity for such an enquiry." (7, 107).

*Saunders.

At the meeting of a new assembly, October, 1766, in his address Tryon recommends "a remedy to prevent future neglect and embezzlement of sheriffs," &c., (7, 294). November of that session the House appointed Caswell, Person and Harnet a committee to settle these accounts; they were not settled, however, but the bill for building the Palace was enacted and further taxes laid for the same. This in November, 1766; and the following January (1767) Tryon writes that through the "embezzlement of sheriffs and deficiency of currency"* two-thirds of the taxes levied were never applied to the purpose for which they were laid. (7, 433).

At a session held December 5th, 1767, he urges in his address, "The necessity for making as well your public funds as the embezzlement and irregularities practiced by several collectors of the province for some time past a principal object of your important inquiries; and I humbly submit that no provisions will be found against these abuses as long as a jealousy exists of the Chief Magistrate, &c." (7, 552).

On the re-assembling of the legislature, October 1769, in his address the governor re-submits a remedy for "expelling that cloud which has ever obscured the public accounts of the province. The community will then cheerfully pay the public levies, satisfied they are fairly adjusted and applied to the services intended." (8, 88). Here in his address to the legislature the governor adopts the ideas and almost the identical language of the Regulators in their repeatedly published complaints; if he had not in hand a copy he certainly had in mind their papers, as doubtless did the several members; he tells these men to do justice by the people and then the Regulators will "cheerfully pay" those taxes which by preconcert among themselves

*Col. Rec., 7, 570; 7, 792; 8, 651.

they had quit paying for the identical reasons here endorsed by the governor. Finally in dissolving this assembly November 6th, 1769, declaring his great disappointment at their non-action in this matter, he says:

"The plan I laid before you for your future funds, if adopted by the legislature, will produce the happiest effect to this country ever experienced; though the act should be the only act passed in that session. But this blessing is not to be obtained for this country while the treasurers, late sheriffs and their surities can command a majority in the lower house." &c., (Vol. 8, 140).

On the 5th of December, 1770, in his address to a new legislature---Caswell now being speaker---Tryon addresses them again in this language: "I offer in the most urgent manner for your consideration abuses in public funds and general complaint against public officers and offices." (Vol. 8, 282). The justice or injustice to the legislature of the governor's charge of complicity with late defaulting "sheriffs and their sureties," who filled the province, in no wise affects the question of their knowledge or ignorance of the abuses so frequently and earnestly called to their attention. But, like other facts here cited, it precludes the possibility of ignorance on their part.*

The vindication of those leaders who made war at Alamance upon their wronged fellow subjects, must be based upon other reasons than the necessity of the situation or their own mistake of the facts or their fear of British governors.†

*Col. Rec. vol. 7, p. 570. Vol. 8, 114 "abuses cry aloud."

†But query; had Tryon been governor in 1776, would his "diplomatic" friends been whigs or tories? See resolve of affection and confidence, Dec. '73, vol. 9, 787. Tryon was prompt, gracefully to retreat when necessary, as bold to advance when allowed. The Sons of Liberty utterly humiliated him in the fall of '65 and spring of '66; so did the legislature Nov. '66, but when they attempted this again in Nov. '69, their discomfiture was complete. (see Journal, vol. 8. 86.) They never kicked again. Tryon was the hypnotist of the age.

The offensive vaporings of Hermon Husbands, if such there were, and the publication of a cruel slander, upon a good man, if you please, do not excuse a grave and responsible body, clothed with power, for making war upon the homes, the wives and the little ones of a wronged community.

The fact is that in Tryon's approach lay the presage of evil for the province, wholly devoid of compensation. His vanity subjected the country to debt and to taxation that took from the plow the work-horse of the poor and stripped from the back of his wife her "homespun dress." (O. N. S. vol. 1, 22.) John Harvey (vol. 7, 570) declared it was ruinous.

The influx into central and western North Carolina, at that time, of a most desirable population, Baptists, Scotch-Irish and German, Lutheran and Presbyterian and Quakers. was unprecedented perhaps in the history of any colony. This Tryon declared it to be, and to it his ambition put an end and drove away many excellent men by his war upon the people, (Vol. 8, 654). *In the first address* to its assembly by this adroit, aggressive, bold, bad man he sectionalized the province and sowed seed of dissention that bore unhappy fruits for nearly a century. Foreseeing he foretold the rapidly approaching consequences of the heavy immigration just spoken of; he excited the fears and jealousies of the then all-powerful East, political and religious; and to these are due largely that abuse and neglect that nurtured the Regulation.

On the 3rd of May, 1765, Tryon, Lieutenant-Governor, recommends to his legislature amendments to a previous act "making provisions for an Orthodox Clergy" in this language, (7, 42):

"In this instance I must more particularly address myself to the members of the church of England; and desire them to reflect on the little prospect there appears of its

ever being established, if they but a little while longer suffer their persuasions to lay under a general neglect; I ground my opinion on the increasing number of sectaries in the province, who in a short period of time may be in a majority in all assemblies," etc.

While claiming to be a friend of toleration, he says of the sectaries :

"I must inform them that I never heard toleration in any country made use of as an argument to exempt dissenters from bearing their share of the support of Established religion," etc.

This Orthodox Clergy bill, that afterwards aroused bitter bickerings,* was promptly enacted, but not in its features exactly as recommended.

In a letter home (7, 105), August, 1765, Tryon says:

"I proposed that the salaries for the clergy should be paid by the public Treasurer (that is by the province) as that would be a stronger inducement for young clergymen of merit to come over to the colony. However, as the present law has provided a very summary law to obtain the salary, I am of opinion payment by vestry is in no ways objectionable. But this reasoning was not attended to, as the majority in the assembly were the representatives of the lower counties."

They apprehended, I suppose and correctly, that Baptists, Lutherans, Presbyterians and Quakers would never pay their assessments and so their safer plan would be to bind themselves for their own respective parishes only.

This overwhelming majority thought, however, that a negro slave capitally convicted by the court and hanged by the sheriff should be paid for by the province, as was done. (7, 686 and 8, 475.) There were few or no negroes in the west.

*Appendix B.

That Tryon and his satellites had manufactured a sentiment that kept many in ignorance and that led to gross error of judgment in this matter is true. This appears in many ways (9, 610)* and is evident from the fact that this so-called War of the Regulators was a purely sectional affair. Craven, Beaufort, Onslow, New Hanover, Duplin and Dobbs appear to have furnished Tryon's command, reinforced by "an artillery company of sailors raised at Wilmington." (8, ¶649).† (See "Line of Battle," Vol. 8, 583.) The "Eastern counties," as Tryon calls them, were not represented, Tryon says, because the Northern Treasurer would not honor his drafts for "bounty" (8, 650).

Tryon ordered Clerk Fanning, Colonel commanding, to raise but two hundred militia from "the Orange regiment" (8, 704), and he excused Clerk, Colonel Frohawk, of Rowan, from command in this language:

WILMINGTON, 30th March, 1771.

Col. John Frohawk:—I am willing to attribute your late conduct with respect to the Regulators to motives of the preservation of your property and a consciousness of having, in the execution of your office, taken fees not warranted entirely by law. Sensible of the embarrassment you must be under as the commanding officer of the Rowan regiment of militia under such a situation, I am ready to excuse your taking an active part in the expedition now forming against the insurgents."‡

General Waddell enjoyed the distinction, doubtless justly, of being the best fighter within the Province.¶ In his march eastward to join Tryon he failed of his purpose for these reasons:

"General Waddell's Camp, Pott's Creek, near Salisbury,

*Josiah Quincy's diary.

†Colonial Records, 8, 552, "Whatever lower counties do"—get no soldiers here"—Bute county.

‡Why this letter will not reflect upon Ashe and Harvey, the best men in the State, and Caswell and other leaders who, though cognizant of all the facts, had yet clothed this unscrupulous tyrant with his power, will be difficult to explain away.

¶Pref. notes, Colonial Records, Vol. 9, page 54.

10th of May, 1771.—By a council of the officers of the Western Detachment considering the great superiority of the insurgents in number and a resolution of a great part of their command not to fight, it was resolved that they should retreat across the Yadkin," which was promptly done." (8, 608.)

Upon the presence of Col. Moses Alexander and that of Capt. Thomas Polk, of Mecklenburg, with this command the following may throw some light :

NEW BERN, 10th March, 1771.

Col. Moses Alexander—I have come to the resolution, by consent of my council, to march a body of troops from the regiments of militia of this government. It will be necessary that several commissaries should be appointed for the service ; and as you acquitted yourself very much to my approbation in the late Hillsboro expedition, I am induced to make you the offer of being commissary to the Mecklenburg, Tryon and Rowan detachments, to supply the same with ammunition, provisions and about fifty camp kettles ; at the same time observing that it would be very agreeable to me, could you make it so to yourself, that Capt. Thomas Polk should be equally interested and concerned with you in the undertaking." (Vol. 8, p. 698.)

Later these gentlemen were "appointed joint commissioners for supplying the troops under General Waddell." (Vol. 8, p. 674.)

As affecting the Wake militia, such as had obeyed orders, we find the following :

"Detachment from Wake county that joined the army yesterday ordered to attend the sheriff of the county and to assist him in levying all the fines due from the body of militia that appeared at the general muster at Hunter's Lodge on Monday, the 6th instant, without arms; and also to support the sheriff in levying all the taxes due in the said district, excepting from those who have entered themselves volunteers in His Majesty's service against the Insurgents," (Vol. 8, p. 577).

Attention cannot be diverted from the culpable com-

plicity of those gentlemen by abuse of Tryon. Though an ambitious, despotic tyrant, Tryon seems sincerely to have entertained "just abhorrence" of these peculations practised upon the people, although he tolerates such. His sin was ambition,* as his urgent appeal for the appointment to the governorship first of North Carolina and afterwards of New York show; and his evident desire for war and subsequent parade and exaggeration of feats performed before the home government clearly establish the same. (Vol. 8, pp. 694-54.)

The old scheme of rendering Husbands odious, by the application to him of "blatant," "demagogue," &c., with the issue confessedly in his favor, and then seeking by association to cast reflected odium upon all Regulators will neither longer succeed nor escape detection under present light. Nor will the commingling of merited praise and adulation with unjust and hurtful criticism of the Regulators confuse the mind and prevent a righteous decision.

Having adduced adequate cause and praiseworthy motive for the course pursued by a large body of men, why assign their course to "one base and designing man?" Moreover, having previously claimed for North Carolina (Moore's History, Introduction, Vol. 1, p. 16), that "the first blood shed in America to resist British tyranny was at the battle of Alamance," the author is estopped from justifying the murder of the patriots who fell upon that field. With this proud and just claim for North Carolina, how can we reconcile the subsequent statement that "upon the heads of his opponents, not Tryon's lies the guilt of the blood of Alamance?" Moore's History, Vol. 1, p. 132).†

*Appendix C. Tryon's character.

†NOTE—The Regulators had drunk "damnation to King George;" and in his appeal to the legislature of 1770-71 Tryon based it on the ground

The legislature knew that they themselves, the governor and his judges were responsible for the condition of affairs; otherwise their rejection of the governor's petition for money with which to suppress "an host of scoundrels" who with strong arm had silenced the courts of the country is inexplicable.*

With the original records of the time or authentic copies of the same at hand intelligent readers will not believe that "Col. Wm. Dry," of the Council and collector of the port at Brunswick; that "Gen Thomas Person," that "Governor Alexander Martin" and others of their standing were the "tools of one base and designing man, (Moore's History, Vol. 1, p. 124 and 131). Nor was Hunter ever his "Lientenant."

Of this base man it is recorded: "He had been arrested May the 2nd and notwithstanding all his sermons and speeches urging the people to resist their oppressions, we have his own confessions of what a craven hearted wretch the noisy demagogue was. 'It came into my mind that if I made Col. Fanning some promise he might let me go. So on my motion he was sent for and came to see what I wanted. Says I, if I may go home I will promise not to concern myself any more whether you take large fees or not. It took with him and after humming a little he repeated what I must promise, which as near as I can remember was to this effect: You promise never to give your opinion of the laws nor frequent the assembling of yourself among the people, nor show any jealousy of officers taking any extraordinary fees and if you hear others

that they were the enemies of the "Constitution;" and in his address after the battle announced that the "fate of the Constitution had depended on the success of that day." Herein lies the sole possible apology for their crime, for in common with all America at that time our people were attached to the crown—the Regulators alone excepted.

*Vol. 8, 535; Vol. 7, 9'1; Vol. 7, 914.

speaking disrespectfully or hinting any jealousies of that nature of officers, that you reprove and caution them and that you will tell the people you are satisfied all the taxes are agreeable to law and do everything in your power to moderate and pacify them. All of which I promised.'” (Moore, Vol. 1, p. 117).

The difference in the bearing of the two men—Husbands and Wm. Butler—under the trying ordeal here spoken of was indeed striking, and certainly not to Husband’s credit. Fanning, who had with great secrecy, in the night-time arrested the two, confined them within the Hillsboro jail, intending to hurry them off to New Berne, but during the night becoming alarmed he offered to release them upon bail and was anxious for them to give it and thus release himself of their dangerous custody. Husbands at once embraced the offer, but as he himself relates unwilling to involve his friends, Butler paused awhile and said, “I have but one life and freely can give that up for this cause, for God knows our cause is just;” “They had exceeding hard work,” Husbands continued, “before Butler would consent, when they told him very seriously that if he went to New Berne he actually would be hanged; and he did not consent at last till Fanning promised to clear him at court without cost.”

But all’s well that ends well. The letter handed Tryon by Hunter containing the resolve to “fall like men if necessary,” contained also this earnest prayer: “We pray you Sir, do not drive us to despair.”

Tryon was then at the head of troops. He was but too anxious to, and he was allowed to disregard this prayer. Tryon drove the Regulators to despair and in consequence of that act his Royal Master lost fairest America, thanks be to God, the disposer of all human events; and three

cheers for the glorious Regulators and their heroic chieftain, "General" James Hunter.

Meanwhile, before the Revolution and only eighteen months after the battle of the Alamance, through his own effecting, chiefly, Hunter in the sincerity and truthfulness of private correspondence with a "loving friend and brother sufferer," was enabled to declare of his own home and section at least: "The country is as much master now as ever."

Thus, my countrymen, I have endeavored first to refute an elaborate defence of Governor Tryon and his co-adjutors, to which very great publicity has been and continues to be given. And then it has been my purpose to establish the criminality of their assault upon the Regulators out of their own mouths.

This effort to establish what is believed to be the truth is made with singleness of purpose. It will ever remain a cherished memory that last fall I had the honor and the very great pleasure of personally supervising the erection upon these grounds of a noble monument to the true man and patriot, Wm. Hooper, of New Hanover. It is the cherished hope of my life, and let all make it our fixed resolve, that hard by Hooper's another monument shall rise aloft. Upon its bronze face let us inscribe: James Hunter, "General" of the Regulators. And beneath this to his eternal honor, "The people are as much master now as ever." Thus will we teach the ages anew that time rights many wrongs and that truth crushed to earth will rise again.

It was a bold deed personally to have delivered into the hands of the British Governor, Tryon, a letter containing this sentence: "But will nothing propitiate but our blood, we are determined at all events to fall like men and to sell our lives at the dearest rate." (C. R., 7, 812.)

Hunter, however, was always spokesman for the Regulators, when practicable, either alone or accompanied by one or more attendants. In every instance so far as appears, his presence commanded respectful and courteous treatment, whether at the hands of the governor, judges or others.

A handsome man, of commanding figure and a gentleman, his bearing seems to have been such at all times as to have commanded the respect of superiors in office as well as the "implicit obedience and respect savouring of enthusiastic reverence" of his followers. (7, 810.)

Though the Regulators were sadly scattered upon the Alamance and although that conflict was fatal to a number of its brave men, so it was not to their heroic cause and the general measures urged by them.* The restlessness of both the Regulators and of the people at large continued till merged into the Revolutionary war in 1776.

As to the relief of the particular homes and counties of the Regulators, this was practically achieved within the eighteen months following the battle. That this was effected chiefly through the admirable temper and splendid courage of James Hunter I believe to be easily demonstrated. What he could not enforce for want of physical power, he accomplished through address.

In entire consistency with their course from the beginning "we," Hunter says, "petitioned the new Governor to visit the up-country soon after his arrival within the province." Governor Martin was a royalist and true to the King and the trust imposed upon him; but he appears also to have been a man of upright and disinterested purposes, and while to worthy motives, his just and righteous course at this time is ascribed, still he wanted peace; and beyond doubt he believed, and with reason, that the most

*Appendix D.

direct manner of securing this was by granting justice to the Regulators particularly and to the people at large. His information in the spring, 1772, had been that Hunter had returned from his hiding; had openly visited his county seat without molestation and was planning "anew to wound the peace" of his country, he had been advised by his Chief Justice in August "that if the peace and quiet of the country is the object in view it would be wiser to pass a general amnesty without making any further stir concerning the criminality of the Insurgents." (Vol. 9, p. 334.) A letter from the sheriff of Guilford, of October 18th, had informed him that "the spirit that raised the late dangerous insurrection" was not totally extinguished there; that "officers are odious to the people" and that "their hearts seemed much inclined towards Hunter, one of the outlawed leaders of the insurgents," (Vol. 9, p. 36); and in a letter of November 6th, written in Maryland, whither he had gone to see Butler, in the privacy of this correspondence between "loving friends and brother sufferers," James Hunter says: "Morris Moore and Abner Nash have been up to see me, to try to get me in favor again and promised to do all they could for you, and I think they are more afraid than ever."

But before entering upon his labors here let's take a retrospective glance at this able, respected and greatly feared leader and patriot.

Throughout the trying seventeen years, between 1766 and 1783, no incident of his life reflected once upon his consistency of character, his candor or his courage. However, it may have been, or appear to have been with others, his name appears upon no paper that reflects upon these. That Tryon's "army" was not annihilated in 1768 was evidently because "our ministers" both wrote to and "visited us," (Vol. 7, p. 716 and Vol. 8, p. 15). Though,

with the lights before them and from the character and subsequent course of these ministers we are convinced they did what in their opinion ought to have been done under the circumstances, the wisdom of their course is to-day a question. Tryon's shameful mastery of the leading men of the province was progressive from 1766 to 1771. John Harvey alone had the courage to confront him*; and he had been supplanted in the speakership, "through Tryon's procurement (Moore's Hist. p. 166, note), by the elevation of Col. Caswell to the chair," "whose rare, good character defends him from any suspicion of wilful guilt in that and every other transaction" distasteful to a British governor, (9, 340, Martin's letter, Sept. 5, 1773.) So had Hunter's friends, as he did, resented this interference (Hunter withdrew from Caldwell's congregation—Caruthers) and confronted Tryon at that time justice might have been secured without bloodshed.

That Hunter was supported by compatriots loyal to the people as himself is true, but as regards his efficiency and trying personal experience he stood pre-eminent among his fellows. From the benefit of every general pardon issued by royal authority, with a single exception, between 1766 and the close of British rule in 1775 his was the distinguishing honor of having been excluded, his name not infrequently appearing among the first upon the list. On the 30th of Oct., 1768, at Hillsboro, Tryon demanded the surrender of his person with those of twelve others; just before the battle of Alamance it was again demanded; on the 9th of June following he was again outlawed, with only three others, and a reward offered of £100, and 1,000 acres of land for his delivery, "dead or alive;" and finally when the lower house of assembly, Dec., 1771,

*Col. Rec., vol. 8, p. 698. Tryon thanks Harvey for "kind present" that winter.

failed to exclude his name and those of three others from a pardon, that fact was occasion for a conflict between the houses that lasted till British rule in North Carolina was no more; and Hunter died fifty years thereafter with a British halter around his neck.

Neither rewards offered, threats nor insidious appeals to personal vanity, by the tender of personal promotion and preferment swerved him from the path of duty indicated by his own self-respect and his obligations to the rights of man. The Revolutionary war having assumed tangible shape early in 1776, Governor Josiah Martin issued commissions to certain leading men of the Regulators, naturally supposing that they were still sore over their brutal treatment at the Alamance. Martin urged these to embody those over whom they exercised influence and with them meet him and the Highlanders at Fayetteville. Of gentlemen thus and then commissioned, both Swain and Caruthers say that Martin was mistaken in his men as regarded "Paul Barringer and the Messrs. Hawkins, senior and junior," for they were true Whigs.

This is equally true of James Hunter and others, and in the failure to include their names with those designated lies a possible injustice. The eyes of the country—British and American—were upon Hunter, as appears from many sources at that time; Col. Wm. Purviance, then on duty and watch at Wilmington, hastened to inform the authorities that there were at "X Creek, Feb., 1776, not two hundred of the old Regulators. The insurgents consist principally of Highland banditti,"* &c.; and a member of the Provincial Congress in a letter of the same date says of prisoners captured with Fields† ("a small body," L. C. 178,) "Hunter was not among them."

*Col. Rec., vol. 10, p. 468; 100 at Moore's Creek, vol. 10, p. 491.

†Appendix. E.

Though Hunter is charged directly with threatening to raise men and to disperse the Whig Congress at Hillsboro, Aug., 1775, (Ms. Hist. 198) the authority cited is against the charge, (Life of Iredell, 261-2). "There has been a conference held with the chiefs of the Regulators—we apprehend no danger from them, (10, 243.)

Thus in February, 1776, Hunter was invited to fight, and settle an old score with men who had slaughtered his friends and attempted his own life but a few years before, and who had been greatly offended because Martin had condemned both themselves and Tryon for their abuse of the Regulators, (9, 350—"silent, indignant and painful emotions"—Martin).

Previously to this he had been told that the government was threatened with trouble abroad and the evils of a distracted front set forth. Now, as ever, however, the effort to divert him from public wrong by the tender of personal aggrandizement proved futile. Meanwhile, between the years 1771 and 1776, time had wrought great changes in the relations of both persons and parties within the province. And the Regulator was courted by another former enemy than the British.

The assiduity with which it was sought to win or destroy Hunter is proof conclusive of the high estimate placed upon the man and leader.

In March, 1768, the bearer of lawful and urgent petitions, he represented his people before Tryon at New Berne, then the seat of government. Accompanied by a single attendant, Rednap Howell, Hunter mounted his horse at Madison, and without shelter from storms or night, without bridges, without a road, and through a wilderness, he pushed his way three hundred miles to the sea-coast. To induce sensible men, possessed of their ordinary faculties, to undergo labors of this kind, the

consideration compelling them thereto, in order to be adequate, must be real and weighty. Incidents at times speak volumes.

In September, 1768, when Tryon arbitrarily, falsely and deceptively rejecting all overtures for relief and peace, demanded the surrender of the people there assembled, a night for consideration was asked. The next morning Tryon's messenger returned and "brought a message signed by James Hunter, saying the Insurgents had dispersed and he didn't know what they intended to do."

The statement that Hunter commanded at Alamance is without foundation so far as I can find and believe. It may have grown out of the report published at the time, that when Tryon, during the negotiations, suddenly and contrary to his agreement* fired upon the people, armed and unarmed, 3,700 of the 4,000 present immediately left the grounds, while Hunter with only three hundred men fought till the close of the engagement, (vol. 8, p. 647). It seems from the proofs that there was no intention on the part of the people to engage aggressively here in battle at all. Certain it is, had any of the experienced frontiersmen of that day then present proposed to make the attack it would not now be a mooted question as to whether there was or was not any organization of their forces. Handicapped by the opposition or timidity of influential friends, many of the brave people were led to hope still for justice without blood-shed. But they were resolved and prepared to defend themselves. The battle lasted two hours according to Tryon, (Vol. 8, p. 609, 616). There were probably 150 men killed and wounded.

The result of the affair was the scattering of the leaders to the four winds. John Gillespie, "the Fearless," was forced to cross the mountains, literally fighting his way as

*Life Caldwell, pp. 149 and 152.

he went. The wherabouts of the heroes, Rednap Howell, Husbands, Butler and Hunter were unknown, though publication for their arrest was made in adjoining provinces, (vol. 9, p. 14).

I here append a newsy and exceedingly interesting letter from Hunter to William Butler, written Nov. 6th, 1772. This letter is kindly furnished me by the venerable Mrs. Mary C. Dalton, of Iredell county, grand daughter-in-law of James Hunter:

November 6th, 1772.

DEAR FRIEND:—Sorry I am that I have not the good fortune to see you. I took this journey into Maryland with no other view but to see you, Harman and Howell, as I reckoned you were afraid to come and see me, but have had the bad fortune to see none of you only Howell, whom I saw in Augusta county on the head of James river. I expect you have seen Harman by this time, as he has gone with his family to the Red Stone. But I would not have you publish it.

Things have taken a mighty turn in our unfortunate country. This summer our new governor has been up with us and given us every satisfaction we could expect of him and has had our public tax settled and has found our gentry behind in our, the public tax, 66443-9 shillings, besides the parish and county tax, and I think our officers hate him as bad as we hated Tryon only they don't speak so free. He has turned Col. McGee out of commission for making complaint against out-lawed men—and he has turned out every officer that any complaint has been supported against. In short I think he has determinated to purge the country of them. We petitioned him as soon as he came, and when he received our petition he came up amongst us and sent for all the out-lawed men to meet him at Wm. Field's, told us it was out of his power to pardon us at that time because he had submitted it to the King and the King's instruction was to leave it to the governor, council and assembly to pardon whom they saw fit. But assured us he had given strict orders no man should be hurt or meddled with on that account, which made us wish for you all back again. Though some are of opinion Harman will not be pardoned I am of a different mind. The country petitioned for you, upward of 3,000 signers, his answer was that he would recommend it to the assembly and freely gave his consent that nothing might be left to keep up the quarrel. He came to see us the second time and advised for fear of ill-designing fellows to go to Hillsboro and enter into recognizance till the assembly met, which eleven of us did. He bemoaned our case and regretted that the indemnifying act had put it out of his power to give us full redress. Our enemies I believe would be glad to see you three pardoned for some of them have gotten severely whipped about your being kept away, and I think

the country is as much master now as ever. The out-lawed men since they came home are very ill-natured and whip them wherever they find them, and the governor thinks it no wonder they do not take the law of them. There is a great deal of private mischief done. The people want you back and I think you would be quite safe though we can be better assured when the assembly breaks up: it sits December 10th, when it is allowed that an indemnifying act will pass on all sides. *Our governor has got Fanning to forgive the pulling down of his house and he has published it in print advertisements all over the country. The governor has published a statement of the public accounts at every church and court house in the province for seventeen years back in print, with the sheriffs' names and the sum they have in hand for each year, and a great many of their extortionate actions—a thing we never expected—to the great grief and shame of our gentry. If you should go to that far country I wish you would come and see us first; and let me assure you, you need not go on that account. Morriss Moore and Abner Nash have been up to see me, to try to get me in favor again and promised to do all they could for you, and I think they are more afraid than ever. I have now some good news to tell you, which I heard since I left home. I met John Husbands on his way to Maryland to prove his father's debt, which the governor told him if he would, in order to prove that Harman was in his debt he should have all his losses made up and told me that McCollough was come and was in our settlement; and was to have a meeting at my house the next Monday by a message from the King. Jeremiah Fields, and others, had been with him to know what it was, but he refused to tell them, he came to my house, only said he had tidings of the gospel of peace to preach to us all and was much concerned that I was not at home for he had particular business with me. I am much troubled, dear brother, that I had not the good fortune to communicate my thoughts to you by word of mouth, for I have so much to tell you that I could not write it in two days. The out-lawed all live on their places again and I think as free from want as ever. I came home in ten months after the battle, entered a piece of vacant land adjoining my old place and rented out my old place. I add no more but subscribe myself your loving friend and brother sufferer,

JAMES HUNTER.

P. S.—Your friends are all well and desire to be remembered to you.

It was upon his return after this "ten months" absence that Hunter openly and publicly visited without molestation his county seat, which act of audacity so aroused the ire of Governor Martin. But, as we now know, Martin was soon to meet in council, this "ring-leader in sedition

*Col. Rec. vol. 9, p. 877. Legislative act indemnifying themselves, disallowed by home government.

and the rebel" was not out-classed. Martin's letter of the following August, (1772), in which he so severely animadverts upon Tryon and his co-adjutors shows that Hunter and his friends had things pretty much their own way at their meeting; so does also the condition of affairs in Guilford and adjoining sections set forth in Hunter's letter and elsewhere. This was right and as the justice of the situation required. But there were others than the governor with whom the Regulators had to deal, the council and co-adjutors of Tryon. And their hostility Hunter seems to have anticipated, for he declares in his letter that he was greatly moved because he could not have communicated "my thoughts to you by word of mouth;" and when speaking of pardons promised he says: "we can be better assured when the next assembly breaks up." It so turned out, in fact, that the council so late as March, 1774, defeated finally any act of pardon whatever, in its bickerings over Hunter and two or three of his friends.

These we cannot but observe were dangerous times in which Hunter was braving alone the risk and urging the interests of all.

The next legislature, assembled Dec. 4th, 1774, and the last royal body assembled April, 1775, were stormy, and soon dissolved and had little time to bestow on the suffering Regulators. When, however, the first provincial Whig congress met at Hillsboro, Aug., 1775, and when upon motion of Col. Caswell, speaker of the assembly of 1771, Samuel Johnston, author of the "infamous Johnston bill" of that session, was made president of the congress, they resolved the first day of the sitting, that,

"WHEREAS, it is manifest that endeavors have been used by the enemies of America to persuade several of the inhabitants of this province who were engaged in the late insurrection, that they remain still liable to be punished

unless pardoned by his Majesty, and that pardon can only be allowed upon condition that they shall take up arms, etc., for their King.

“RESOLVED, therefore, that the late Insurgents and every one of them ought to be protected from every attempt to punish them by any means whatever; and that this congress will to their utmost protect them from any injury to their persons or property which may be attempted on the pretence of punishing the late said insurrection or anything in consequence thereof.”

In other words these good and true and wronged men were pardoned when they were needed. All of which reminds us of the ludicrous haste of a late congress, December, 1895, who, when stirred by the growl of the British lion, pardoned certain Confederate officers.

The coincidence is striking, and how entirely natural it would have been for self-respecting Regulators to have spurned this enforced “Christmas gift” (D. B. H.) some may now be enabled the more easily to apprehend and fully to appreciate

Colonel Caswell, both Tryon’s and Martin’s trusted champion, it would seem, (Moore’s History 1, 166; C. R. 9, 339 and 10, 232), was in command of troops at Alamance. Of a section of Mr. Johnson’s bill the home government, in its instructions, back, said: “Which said clause appears to be irreconcilable with the principles of the constitution, full of danger in its operation and unfit for any part of the British empire,” (8, 516). In additional instructions to the governor of North Carolina of May, 1772, this language is used: “That he do not under any pretence whatever give his assent”—to any bill in the future —“unless the same shall appear to be entirely free from the objections” contained in this Johnson bill, (9, 289). Why this congress of unquestionably able and earnest

men should have appointed as missionaries to the Regulators Col. Caswell and Judge Maurice Moore is at first glance unaccountable. The love of liberty and fixed hostility to England of these self-respecting "back-countrymen" alone must have saved the congress from the consequence of its folly. The long settled English East, content in the consciousness that the province was run in its interests,* both as regards political power and material advancement, was culpably indifferent to the welfare and ignorant of the character of the younger Scotch and German West. Compelled now to court the West, to this ignorance must be attributed the blunder. Chickens come home to roost.

Naturally the spirited but intelligent and patriotic Hunter found himself at this juncture in a position more or less embarrassing. There is evidence that he hated and doubtless he denounced foes both foreign and domestic, but none that he was ever for one moment untrue to his country. It must have been with sincere regret, alike natural and honorable, that he turned his back upon Governor Martin, the friend of his people in their hour of need, but now become the enemy of mankind.

Hunter was an ardent Whig during the Revolutionary war. His home—Guilford county—the "hotbed" and the "heart of the settlement of the Insurgents" (7, 827), was severed from Orange and Rowan in 1770 "to weaken by dividing the Regulators." "The erecting of Guilford county out of Orange and Rowan was, in the distracted state of this country, a truly political division, as it separated the main body of the Insurgents from Orange and left them in Guilford," says Lord Tryon at the time, (8, 516). Dr. Caldwell's two Guilford congregations of Buffalo and Alamance virtually constituted the country

*Pref. Notes Vol. 7, pp. 17-20

for fifty miles across. With the correct history of these excellent people no man was ever more familiar than the conscientious Caruthers †. He succeeded Dr. Caldwell in the pastorate of both these churches. After stating that many of these men were Regulators and took part at the battle of the Alamance, Dr. Caruthers affirms: "Yet not one of them took sides with the loyalists during the war, but were all active and efficient Whigs." (Old North State, Series 1, p. 29).

Dr. Caruthers states this as a matter settled by his own investigation, and is of opinion that the same was true of the great Presbyterian bodies extending from the Virginia line on the north to Mecklenburg, the home of the Black Boys.

Of the German element the late Rev. G. Will. Welker says: "In the war of the Regulation they were in full sympathy with those who resisted the oppression, and the Germans of Orange and Guilford were in that disastrous fight on the Alamance. Before and during the war of the Regulation some Germans became prominent and made themselves felt in the events happening about them. Barringer, of Mecklenburg; Forney, of Lincoln, and Goertner, of Guilford." (8, 730, Col. Rec.) Barringer and Goertner were certainly Regulators, and all three Revolutionary soldiers, (8, 727). "Nothing better shows the character and patriotism of the Germans of the Reformed church than their conduct when the rally to arms was made by the Continental congress," etc., (8, 733).

"When the Revolutionary war came," says Dr. R. H. Dalton, "he (Hunter) entered as Major in Col. James Martin's regiment, his cousin;" and that "afterwards he

†Life of Caldwell, p. 166---"Frequently related to me by surviving Regulators." Caruthers came to Guilford in 1819; was co-pastor with Dr. Caldwell and his successor. See Wiley's centennial address at Alamance.

fought the Indians in several expeditions, and some of the battle scenes are fresh in my mind now," (1878).

Rutherford, of Rowan; Polk, of Mecklenburg, and James Martin, of Guilford, raised a considerable force in the midwinter of 1775 and 1776—December (State R. 11—) and with others destroyed the tory Scovillites in upper South Carolina, (Moore's Hist., 1, 200).^{*} To this service in the early part of the war under James Martin Dr. Dalton may have referred; but as "Col. James Martin with a large whig force was on his way from Guilford" (Moore's Hist., 1, 204, to suppress the Highlanders and Tories at Fayetteville in Feb. 1776, the reference was more probably to that expedition.

From the above statements of Drs. Caruthers and Welker and others and the showing made by Mecklenburg, Rowan and Guilford, "the heart" of the Regulation, Moore's history seems to be in error in the declaration that the Regulators "had no part in the liberation of the colonies," (1st, p. 137). To a certainty Hunter was at the battle of Guilford C. H., where the presence of the Governor, Col. Caswell, would have brought with it great moral influence.

Dr. Dalton gives this interesting and important incident of the battle: "At the battle of Guilford when the order for retreat came, my grand-father failing to hear it and seeing the men beginning to fall back he thought they were running away, and seizing a musket he was beating them back, when Col. Martin came up and explained. He was often laughed at for that." James Martin in his petition for pension sets forth Hunter's presence at Guilford also.

Hunter represented Guilford in the Legislature from 1778 to 1782 inclusive;—a course dictated doubtless by

^{*}Col. Rec. vol. 10, p. 408.

public policy and at the instance of others; for from the known facts of his history, before, during and after this time an active life in the field would have been much more congenial to himself personally.

As soon as the battle of Guilford relieved the country of the British and left the people untrammelled they elected, Feb. 1782, Daniel Gillespie to the sheriffalty; and his brother John, "The Fearless" and James Hunter followed him successively in that responsible position. After having repeatedly presided as one of the special court Hunter was made treasurer of the county and so continued, I believe, till his county of Rockingham was established. (Minute docket for the Court of Pleas and Quarter Sessions for Guilford; 1781 to 1788). Men's neighbors know them; and endorsement by these is the highest commendation of character; there were no stauncher Whigs nor better men in this section of country than the Regulators. Regulators, like Sons of Liberty, fought on the high and righteous principle of no representation, no taxation; the difference in the situation of the two being in their favor—and the Regulators fought also for religious liberty.

Dr. Dalton, from whose manuscript, written in 1878, we quote, was a grandson of James Hunter, fifteen years of age at the time of the death of his grandfather. We extract the following interesting anecdotes of Hunter's declining years:

"Every one was on tiptoe to hear from New Orleans, supposed to be in great danger of being sacked by Pack-ingham and our little army captured, which was commanded by General Jackson. Suddenly a man well mounted flung open the big gate, and without taking time to shut it, came galloping down the hill towards the yard gate; and as he came my grandfather recognized him as

Alexander Strong Martin and exclaimed, 'It is Alex. Martin; bad news, I fear.' In an instant Martin pulled up at the gate and waving his hand cried out: 'General Jackson met the british below New Orleans, killed Pack-ingham and 8,000 of his men without losing but one man. In the twinkling of an eye the old gentleman sprang to his feet, jumping, curveting and lamming the floor with his cane, exclaiming: 'Damn the British; I knew if Andrew Jackson ever met them he would give them hell; hurrah for Andrew Jackson! I always knew he'd be a great man some day.' I was so alarmed that I jumped out upon the grass, while my grandmother ran out beseeching Ward and brother Sam to hold him, which they did, but not till he had broken his cane and exhausted himself. In the next moment he was lying on my grandmother's bed exhausted and scarcely able to breathe; and I left for home in great trepidation to tell the news. Poor grandmother was greatly troubled, fearing that he had lost his religion.

"Andrew Jackson had lived and studied law at Guilford Court House and hunted fox with my grandfather several years, and they were very intimate and friendly."

Hunter had built a church near his home in which all were welcome to preach, "provided they asked permission and for the key." On one occasion an Ironside occupied the pulpit, Hunter not knowing him to be such. "A large congregation was present to hear the champion, and the old Colonel took his seat, as usual, just in front of the pulpit. After reading the text, singing and a long prayer, Davis opened first on the Roman Catholics and dealt them crushing blows; and that delighted my grandfather, as was evident from his manner and the interest manifested in the argument. Next he belabored the Episcopalians, at which he was also pleased. Then the Methodists were

dealt with in awful terms of vindictiveness and ridicule; the old gentleman smiled with approval and had evidently concluded that Davis was a very great man. Unfortunately, however, after leaving the Methodists he immediately pitched into John Knox and his followers, and was beginning to immolate the whole concern, when suddenly grandfather sprang to his feet, brandished his cane and exclaimed in a loud voice: "Come down from there, you lying scoundrel, you vulgar wretch, or I'll maul you out;" and suiting the action to the word he was advancing with uplifted arms when old man Crump, sitting near, seized the stick, and while they were struggling for it, the holy man slid down from the pulpit and escaped.

"Grandfather's home was a lovely place, where I spent much of my time. My first impression of him was when he was old, but even then he was a fine looking man, fully six feet tall, and erect, though he walked with a cane. The Irish brogue was distinct in his enunciation, which was earnest and at times fluent. He was a strict Presbyterian and held family prayers morning and night with reading a Bible chapter and singing with my grandmother. His habits were temperate, though I have seen him take a glass with his friends. His library was large and miscellaneous, and in the absence of company he was generally reading. I never saw him dressed otherwise than in black broad-cloth; his linen was always clean and fresh looking. Kindness and benevolence were striking traits of his character, as was manifested by the lamentations of the poor at his death. His funeral was preached by Father Paisley, who married me, assisted by Mr. Pickard, of Orange. and it was the largest congregation I ever saw on such an occasion. Right under Father Paisley sat Thomas Henderson, Col. James Martin, Theophilus Lacy and Thomas Searcy."

Born on the 8th of April, 1740, after a long and stirring life, in the eighty-first year of his age, honored by all, surrounded in his peaceful home by sorrowing friends and kindred, still bearing about his neck a British halter of fifty years wearing, yet "soothed and sustained by an unfaltering trust," "like one who wraps the drapery of his couch about him and lies down to pleasant dreams," James Hunter sank to rest.

APPENDIX A.

The introduction into the Legislature May, '65 (Vol. 7, p. 50) of a bill to make judgments of the courts and taxes---that is all debts public and private---solvable in "commodities" abundantly attests without further citation the distressing scarcity of money---"coin or currency"---within the province. But read---"Petition from a committee of both houses of the Assembly to the King, Humbly sheweth that by the resolves of both Houses of the Assembly, we represent to your Most Sacred Majesty the present distressed condition of this colony for want of a currency to answer the purpose of paying the internal taxes and for a medium in trade. The distresses of the poor inhabitants of this colony will be inexpressible, as they will not have wherewith to pay the internal taxes and other considerable debts; neither is it in their power by any of the produce of their lands to obtain gold and silver to answer any of those purposes." Feb. '68, (vol. 7, p. 681.)

And yet under these circumstances, at the bidding of Tryon this legislature taxed the people, November, '66 to "build the finest edifice in America" at that time; the next summer, '67, Tryon, "escorted" by an army with all the pomp, and expense of glorious war, for which at that date there was no pretence of necessity, marched forth to run a line with a compass. In this he had been previously limited by the legislature to the expenditure of only 100 pounds and the employment of three commissioners; that December, '67, they voted Tryon £10,000 additional to the Palace, his wicked and unauthorized expenditure,

in running the line; declared "distress almost to ruin seems to be our inevitable lot" from scarcity of currency; acknowledge their "high obligation conferred upon us by your Excellency for superintending in person" the running of the line, which his three commissioners ran wholly independently of himself and army, and they closed by declaring "we are very glad to be informed that your Excellency was pleased with the conduct of the officers and soldiers that composed your "escort" (vol. 7, p. 576).

Though thus straightened for money, still in July, '65, the Regulator's "Grievance was malfeasance of officials"; (vol. 7, p. 89). But in the spring of '68 taxation had superseded all other grievances and by Advertisement No. 4 the Regulators determined to pay no more taxes (vol. 7, p. 671). In April, '68, we read "Their greatest resentment is against you (Fanning) as being one of the Assembly who taxed them", (vol. 7, p. 710).

On June 16th Tryon wrote Lord Hillsboro "under these circumstances" (as described above) they refused to allow the sheriffs to sell them out of house and home, (vol. 7, p. 792).

In August the Regulators declared to the sheriff of Orange: "We want no such house (the Palace) nor will we pay for it," (vol. 7, p. 798).

Notwithstanding all the above, that summer (of '68) Tryon and his legislature imposed another enormous tax upon the people by levying war upon them and marching across the province against them for refusing to raise money which both had just declared was not within the colony to be raised. Wicked taxation, under the circumstances, was the straw that broke the camel's back.

APPENDIX B.

THE ORTHODOX CLERGY BILL—1765-'71.

“I am convinced the happy establishment of our religion” (the Church of England). “will be the only foundation on which the future prosperity of this colony can depend.”—Tryon’s address to legislature, May, ’65, (7, 65). Tryon joins Society for the Propagation of the Gospel, (7, 164).

“We have laid a more firm and permanent foundation than any other colony can boast of” (8, 13).

Tryon may be “justly called the nursing father of the church in this province.”—Rev. Mr. Morton, June 9, ’67, (7, 424). “New light Baptists are very numerous in this parish. . . . They lately offered me the use of their meeting house, where I propose to officiate once in two months. . . . The most illiterate among them are their teachers, even negroes speaking in their meetings.”—Rev. Mr. Barnett, Brunswick, February 3rd, ’66, (7, 164).

“The clergy had never any regular and certain establishment till the act of May, ’65. . . . This act entitled the ministers to receive £133, &c., per annum and “obliged the vestry to supply them two hundred acres of good land and to build a mansion house and convenient outhouses,” &c. “By the said act the ministers are entitled to certain fees mentioned therein for marriages and giving certificates thereof and for funeral sermons.”—Tryon, (7, 490). The fees where dissenting ministers performed the marriage ceremony was secured to the incumbent also. (Prefatory Notes, 8, 44).

“By this law” (Orthodox Clergy Act of May, ’65), “pre-

sentation is given up to the crown" (to Tryon) "which has freed us from the insolence and tyranny of vestries, and a shorter and much easier method is appointed for the recovery of our stipends by law," &c. "The British parliament has put an entire stop to our paper coinage, or rather the juggling of our paper currency" (parliament prohibited North Carolina from issuing her own money), "consequently our legal encouragement will grow daily better and better, and in a few years I expect to enjoy a little more of the society of my brethren of the Society" in England, which also he did soon and forever, and very largely because of this act of parliament. Newbern, 10th of July, '65, Rev. Mr. Reid (7, 99).

Presbyterian ministers attacked for marrying people, Jan., '67, (7, 432).—Presbyterian Preacher of Meck., '69.—Read (10; 15-17). 1015-17)

Presbyterians of Tryon county: "By the 8th and 9th sections of this act our ministers are forbidden to marry with rightful publication of bans, a privilege which a million of our fellow professors in America now enjoy and whose ancestors have enjoyed ever since they settled on this continent; neither was it ever taken from dissenters in America until it was taken from us by this act of which we complain" (8, 80).

Even a C. of E. parish "will starve me, for none like the inducted parson," (because, as Mr. Tayler said, they had had unworthy men put over them, 9, 21).—Rev. Mr. Crump, March, '69 (8, 13).

"The people of this country, from the variety of sectaries on one part and a . . . neglect of religion on the other, are uneasy under the provisions of this clergy bill passed in '65." "Some vestrys idly imagine the power of presentation is still in them . . . ; I propose to bring this matter to trial" (by the court) "that they may be

convinced of the obstinacy and error of their course, since I find in some parishes candid argument would not avail." "I recommend" (Mr. Fiske) "to sue the church wardens and vestry for his salary. His parish is full of Quakers and ana-Baptists; the first no friends, the latter an avowed enemy of the Mother Church. It is certain the pre-eminence the Church of England has obtained over the sectaries by legislative authority has drawn upon her their jealousies." "Presbyterians and Quakers are the only tolerated sectaries under any order or regulation; all others are enemies to society and scandals to common sense."—Tryon to Sec., March, '69, (8, 15).

Rev. Mr. Morton writes that he started from Newbern to "My new mission in Mecklenburgh." He got to the Cape Fear country, where and when he was "discouraged from proceeding any further. There I was well informed that the inhabitants of Mecklenburgh are entire dissenters of the most rigid kind; that they had a solemn league and covenant minister settled among them; that they were in general greatly averse to the Church of England; that they looked upon the late law for the better establishment of the church as oppressive as the stamp act, and were determined to prevent its taking place there by opposing the settlement of any minister of the C. of E. that might be sent among them. In short, it was very evident that I could be of little service to the honorable Society in Mecklenburgh and declined embroiling myself with an infatuated people to no purpose." So he returned to Tryon and was sent to Northampton county, August 25, '66, (7, 253).

Rev. Mr. Drage writes from Salisbury, Rowan county, February, '71: "Two-thirds of the people are of the C. of E." (he must have meant the village), "the others a motley mixture, but the most distinguishable are Irish Dissenters. . . I found the C. of E. members disheartened. . . .

Irish Dissenters have the power of deciding all elections to their views. . . . then they would not qualify, (so there would be no vestry)—this had been practiced the year before, and they declared they could keep out the church by this means, had done it and always would; and the Dissenters have told the separate Baptists, who were in a declining way since my arrival and really not under the Act of Toleration in the manner they act, that they are as legal congregations as the C. of E., and have nothing to pay to the support of the church. I can't send for my family, as there is a year's salary due me from the parish and no vestry to assess it, and have little expectation but it will be the same the current year, as there is no probability of a vestry."—Theodorus Swaine Drage (8, 502).

"They say they have opposed England in endeavoring to invade on their civil rights; they also shall and have a right to oppose any intrusion on their religious rights, a maxim dangerous not only to this country, but to the whole back frontier of America, principally settled with sectaries, and is deserving of attention of government before power is added to inclination."—Drage (8, 180), March, '70. "The opposites have treated my person with no incivility, but they are bitter against my cause."

Perquimans "abounds with Quakers who will neither hear nor contribute," &c.—Rev. Mr. Pettigrew, February, '76 (10, 496).

"It is a great pity but an American Episcopate were established, if it tends to no other purpose than to take cognizance of the behavior of the clergy, some of whom, I am sorry to say, are the greatest scandal to religion we have."—Rev. Mr. Taylor to Sec., August, '71, (9, 21).

APPENDIX C.

COL. TRYON: THE KEY TO HIS CHARACTER AND TO HIS COURSE OF CONDUCT WHILE GOVERNOR OF NORTH CAROLINA, 1765-71.

The Earl of Hillsboro was the friend of Tryon and his patron before the throne in furtherance of his ambition. In October, 1769, Gov. Tryon being in bad health had retired from the coast to the hill country in a neighboring province. There relieved of the labors and worries of office in the freedom and candor of communication by letter with his friend he says (vol. 8, p. 54) that his respite—"allowed me to reflect on the motives that led me to this continent. These I shall candidly state to your Lordship in the hopes that they may be laid before His Majesty.

One grand principle of my offering my services in America flowed from a wish to be placed in a situation in which I might render my public services more beneficial to my Royal Master than my station in the Guards would probably allow me to do in time of peace.

Another motive was, if happily I could by a diligent discharge of my office answer the purpose of it, I flattered myself it would recommend me to the King's indulgent consideration in the *military line*.

The first of these I have amply obtained by his Majesty's most gracious approval of my public conduct signified to me by both your Lordship and the Earl of Shelburn. The fruits of the latter I can only hope for from His Majesty's most gracious favor, but upon that I must

entirely depend as the Earl of Halifax told me (see T's letter to H. April, '65, (vol. 7, p. 3) while Secretary of State on my departure from England, that he had it in command from the King to assure me I should receive no prejudice in my military rank while engaged in his service in America. If, therefore, in His Majesty's goodness I might be appointed one of his aides-de-camp, or receive a regiment through his royal bounty, in either case I should be gratefully happy. But if a regiment should be my fortune my unwearied duty would be exerted to keep it as well disciplined and appointed as the company of Grenadiers I reluctantly resigned to Col. West.

Permit me, my Lord, to request the favor of you to lay this letter at his feet and support it with your Lordship's good offices, which will infinitely oblige yours," &c.

Herein we learn unmistakably that promotion in a military line, Tryon being a soldier by profession, was the ultimate end and aim of his earthly aspirations and the goal toward which all his efforts tended. This accounts for his military march, parade and display in running the Cherokee line in '67. The wholly unnecessary extravagance here indulged in, in the face of his own and the legislature's known and oft declared poverty of the province can find no other solution. This letter accounts also for his prayer at Hillsboro in '68 for war; upon which he failed to enter at once solely because he was not allowed so to do. It accounts for and explains his declaration Feb. '71, that if not furnished evidence "to ground military operations upon," "I shall speedily return to England where my military services may be required," war between Spain and England at that time being imminent (vol. 8, pp. 693-694); and here we discover the true cause of his strenuous, unwearied and unprincipled but successful efforts to bring about war in the session of '70-71.

One of the most influential representatives of the Church of England in this country declared that though willing his parishioners could not pay "the smallest salaries established," because the money with which to pay them was not to be had in the colony (vol. 7, pp. 495-496); the legislature declared it was "impossible" for the people to pay the taxes for the same reason; Tryon did the same and begged the King for a currency, yet he and his truculent legislature piled up taxes wickedly extravagant, and because the brave Regulators refused to have their plow horses and cattle sold for taxes war was waged against them.

Why? Manifestly not to raise money, for this was not to be had.

The day has come when North Carolina proves that her Regulators fought at the Alamance the first battle of the Revolutionary War.

The records of the period are filled with appeals by Tryon and the legislature to the King and Parliament, that they be allowed to emit a currency for the colony, attended with the most solemn assurances that such was an absolute necessity.

December, 1767, John Harvey, speaker of the assembly, says: (7, 570) "Distress almost to ruin seems to be our inevitable lot from the great want of a sufficient circulating currency."

In August, 1771, Tryon declared the debt just incurred (8, 651) "A load the province is absolutely incapable to discharge, unless by a new emission of currency, or an aid from Parliament, both of which I must beg leave to submit to His Majesty's wisdom."

In one such appeal in June, 1768, (7, 791-2) Tryon represents the hardship of the situation to the people, as it actually was; and for the first and last time in his

career does the Regulators justice and fails to slander them. He says, June, '68, "These Regulators declare they are not satisfied with the public and county taxes, and that it is not in their power to procure specie or currency, from its scarcity, to discharge them. Under such circumstances they have associated themselves together, by solemn oaths, to prevent the sheriffs levying upon their goods and chattles. * * * * * If His Majesty, in his wisdom, shall grant the address of this colony for a currency, I persuade myself the public taxes would be collected without any obstruction." Here the declaration of the Regulators, that their taxes remain unpaid, because money with which to discharge them, from its scarcity, is not to be had, Tryon corroborates. He corroborates and endorses this plea by his declaration that "under such circumstances" they confederated; by his appeal for a currency for them and by accompanying this with his expressed conviction that if the currency be granted, the taxes will be paid and thereby the troubles ended.

Remembering that this "address of the colony for a currency" was steadily rejected by the government at Home till the last, manifestly the war of the Regulation was intelligent resistance, now rendered unavoidable by and aimed directly at the oppressive policy of the English government itself.

If this War of the Regulation is not entitled to be designated a "Revolution," because the original purpose of the Regulators was not to "change their form of government," neither was the continuous and falsely so-called "Revolutionary" War entitled so to be dignified, from the same reason; for to a certainty Revolutionary patriots had no purpose of changing their form of government till 1776—five years after the war had begun. Here it is

proven that the War of the Regulation was the beginning and the Revolutionary War the ending of one and the same war against oppression by the British Government; and that for the establishment of our free and glorious Republic Washington and his coadjutors must share the honor with James Hunter and his. We are bound this day to do the Regulators this simple justice, and our sister Colony of Massachusetts, with the glories of her Lexington must yield precedence to the Old North State and her Alamance.

APPENDIX D.

EVIDENCE THAT SO EARLY AS 1768 THE
MOVEMENT OF THE REGULATORS WAS
REBELLION AGAINST THE KING OF GREAT
BRITAIN.

Letter of the four Presbyterian Pastors to their flocks,
Aug. '68. (Col. Rec. vol. 7, p. 815.)

There are "sundry" Presbyterians born in this country — "ignorant of the principles and practices of their ancestors, which we can assure them always evinced a zealous attachment to the present Protestant succession in the present royal family, and a spirited opposition to any measure, concerted at home or abroad to shake the present happy establishment" &c. "We are sensible the movers in the present insurrection have put the cry of King, Loyalty, Allegiance into the mouths of their unwary adherents; which doubtless was the snare that caught you," &c.

Hassell, Judge and of the Council, under Tryon Aug. 9th '71 in letter Home. (vol. 9, p. 14.)

"They appear at present" (the Regulators just after the battle) "thoroughly convinced of their having been deceived and imposed upon by the seductions of a few turbulent villains, who had formed a distracted scheme of overturning this government." (vol. 10, p. 803).

Address of Legislature Jan. '73. Harvey Speaker. (vol. 9, p. 454.)

This was an "Insurrection—aimed at the suppression of the Constitution of this Province".

Rowan Dissenters March, '70. "Say they have opposed England in endeavoring to invade on their civil rights; they also shall and have a right to oppose any intrusion on their religious rights." (Vol. 8, p. 180.)

Tryon's Proclamation, October, '70, (vol. 8, p. 253.)

Regulators drank "damnation to their rightful Sovereign, King George, and success to the Pretender."

Tryon's address to the Legislature, Dec. '70, (vol. 8, p. 286.)

"Believe me the cause before us is not the cause of an individual or opposition merely to administration; but to the Constitution."

Tryon's address to the army the day after the battle of Alamance, May '71, (vol. 8, p. 585.)

"The fate of the constitution depended upon the success of the day."

In the above we have the concurrent testimony of all the parties to the War of the Regulation that it was rebellion against King George, necessarily through the provincial government. The plans of these Revolutionary patriots were not definitely matured, even so late as '75, and of course were not in '68; but then, as later, upon resistance to British oppression they were determined.

The Presbyterian ministers quoted above were among the best educated and most intelligent men of the province. They were the country pastors of and lived in the midst of their parishioners here addressed, and of course were

acquainted with their distresses and purposes. Moreover, they had both "written to" and "visited" Hunter and his confrerees, and had discussed with them and endeavored to dissuade them from the further prosecution of their designs.

It is incredible that these preachers would have addressed the argument and used the language above to a mere "peasant's uprising" against petty county officials.

They "abhorred" this insurrection because they knew it to be a rebellion against "the present royal family" and was an effort to "shake the present happy establishment." In common with all Americans, the Regulators excepted, these pastors were true and loyal subjects at that time to King George.

Their letters show also that they, like the legislature, were overreached and deceived by Tryon's promises of relief from England and of his own rectification of malfeasance of officials within the province, for they say, "Brethren, the remedy for oppression is within the compass of the laws;" and they thank Tryon in their letter to himself for having taken the cause of the people into his own hands, (7, 813).

Many of the people, taking this advice given in August, '68, tried the "compass of the laws" at Hillsboro court in September following, and they went thence under heavy fines to jail, while their guilty and convicted oppressor, Fanning, backed by Tryon, went scot free. In September, '69, they again tried the court at Salisbury, and by corrupt officials and a packed jury were laughed out of court. (8, 68, see Hunter's letter)

The next September, '70, they did what, heroes as they were, they ought to have done, suppressed forever this "infamous" travesty upon a court of justice.

By '71 all the people of the province everywhere had

learned Tryon's character and that hope from England by way of a currency was a hypocritical delusion. He got no Presbyterian preachers' letters in his campaign that year; in grand old Presbyterian Mecklenburg Waddell's powder was destroyed, in Presbyterian Rowan Waddell met "Regulators" upon ground with which Capt. Alexander swore he was acquainted. "The foot appeared to him to extend a quarter of a mile, seven or eight deep, and the horse one hundred and twenty yards, twelve or fourteen deep." From this fact and a "resolution of a great part of his own men not to fight, it was resolved that they should retreat across the Yadkin," (8, 608).

Every acknowledgement of obligation to Presbyterians made by Tryon was based upon these two letters written in '68, so far as I can discover, except his language, 8, 527. The legislature of December and January, '70-'71, was of "regulating tendencies;" ^a that is, it was against Tryon and for the people when it met, but during the session and close together the Johnson Act, and acts allowing Presbyterian preachers to perform the marriage ceremony, and one to establish Queen's College at Charlotte, were passed. In recommending this marriage act (March 11, '71) Tryon says, "The attachment the Presbyterians have shown to government merit the indulgence of this act" (8, 527). ^a Responsibility for each of these has been laid to the account of Presbyterians. However this may have been, proof of the charge that the Presbyterian church or people, as such, were responsible therefor seems to be wholly wanting. Certain it is also that Tryon's assertion that the preamble to this college act or its recording shows that Presbyterian influence dominated the assembly is not sustained by the proof cited.

Two Presbyterians at that session represented Mecklenburg; if they or any Presbyterians at all as is alleged,

a-8.270; b-8.481; c-8.484; d-9.5-6-71;
e-222-8.

selfishly sacrificed the people's interest for their own, Tryon's subsequent conduct and that of the Home Government, in connection with these very acts, in due time paid them back in their own coin. In March, '71, Tryon's recommendation of the marriage act is exceedingly mild, (8, 527). In the Spring of '72, the Home Authorities recommend that these acts be not allowed, (9, 248) and in April, '72, they are effectually disallowed by the King, (9, 284). It may be the country is under obligation to the Regulators for affording all these gentlemen occasion for retaliating upon Tryon and the King and of clearing their skirts before America, by becoming rabid rebels and giving us our first declaration of absolute independence. New brooms make clean sweeps. *Read (9-562)*

Through the repeated publication of their wrongs by the friendly and in fact warmly sympathetic Boston Gazette the influence of their example was undoubtedly felt in Massachusetts (8, 635, 639, 643).

In this connection, let us say the Quakers as a church. but not as individuals however, of course pronounced against the War of the Regulation as they pronounce against war always. As to the Baptist, democratic and ever loyal to the people, then as now they were of and for the people. Argument in their favor would be like defence of a pure woman against whose character there had never arisen suspicion. The recorded, unvaried and bitter fulmination of Tryon and of the rectors of the Church of England against the Baptists settles conclusively their honorable position. And would be subsequent apologists or others cannot detract from it.

The willingness of parties to this regulation controversy, to fix upon the Church the charge that She has ever been found ranged on the side of money, place and power as against the people in their

struggles for their liberties, would seem to find no just countenance in the War of the Regulation. It is manifest that next to secular oppression ecclesiastical intolerance brought on the war.

The admirable paper of the Presbyterians of Mecklenburg, presented in 1769, containing a bold and palpable threat alone proves this, (see 10, 1015-17.)

APPENDIX E.

William Fields was of little note as Regulator and of little more as Tory. He seems to have been made famous by Caruthers from the facts that he was the most prominent of four brothers of little eminence; (Jeremiah vol. 10. p. 803) left Guilford with "a small force" in Feb., '76, to join the Highlanders, afterwards joined and remained with the British during the war and after the war refused to take the oath of allegiance; and was at Guilford with Gov. Josiah Martin, "probably" (Caruthers.) Of his fighting anywhere or at any time I find no recorded evidence, or that he was at Alamance. He was a C. of E. man (Caruthers) was recommended as vestryman for St. Luke's Parish (Salisbury) by the Council in order to hinder "dissenters" from preventing "there being of a vestry," (8, 154). He was possessed, so far as facts enable us to judge of little judgment, (10, 1019) and of little principle perhaps; (10, 595) was neither at Hillsboro in April or September, '68; nor in September, '70; nor at Salisbury in March, '71, was never outlawed specifically; and finally and conclusively was elected to the legislature from Guilford in the fall of '71 just after the battle while the leaders of the regulation and a number of others not leaders were outlawed and fleeing for their lives to distant provinces. He took his seat in the legislature in Dec., '71. (9, 137).

Wholly undue prominence has been given this man see "especially the Fields" (Moore vol. 1, p. 137) and he has been made to do duty on all possible occasions in futile efforts to fix through him the stigma of toryism upon

Hunter, the Gillespies and their friends, the Regulators generally

As leaders of the Regulators and as soldiers and representatives of the people during and after the Revolution it is manifest that Hunter and others of Guilford, Thomas Person, of Granville, and Paul Barringer and others from Mecklenburg and elsewhere had a very powerful following throughout this western section; and had they or their friends adhered to the crown, in all probability North Carolina would not now be indebted, as she is, to Gen. James Moore and Col. Lillington for their noble and most important victory of Moore's Creek in Feb., '76.

Nor would Cornwallis have affirmed officially 10th of April, 1781, " * * I could not get one hundred men in all the Regulator's country," &c, (Answer to Clinton's Narrative—Campbell's Reprint 1866, p 10).

1781.

1897.

PROGRAMME OF THE ANNUAL CELEBRATION

At the Guilford Battle Ground, July 3rd, 1897.

THE LIFE AND TIMES OF JAMES HUNTER—A SKETCH OF THE
WAR OF THE REGULATION.

JOSEPH M. MOREHEAD, Esq.,
Of Guilford, Orator of the Day.

Procession will form on the Salisbury road at

10:30 o'clock a. m.

In the following order:

VICTOR C. McADOO, CHIEF MARSHAL, AND ASSISTANTS.

CORNET BAND.

ORATOR OF THE DAY, CHAPLAIN, MASTER OF CEREMONIES, AND
DISTINGUISHED GUESTS IN CARRIAGES.

DIRECTORS AND STOCKHOLDERS OF THE GUILFORD BATTLE
GROUND COMPANY.

CITIZENS GENERALLY.

Procession when formed will move to the Grand Stand.

At the Pavilion.

MUSIC BY THE BAND—"The Old North State."

PRAYER BY THE CHAPLAIN, REV. HORACE WEEKS JONES.

ORATION · JOSEPH M. MOREHEAD.

PRESENTATION OF THE PORTRAIT OF JOHN PENN BY THE ARTIST
AND DONOR, DAVID L. CLARK, ESQ.

RESPONSE BY PROFESSOR J. M. WEATHERLY.

DEDICATION OF "THE SCHENCK MUSEUM." REMARKS BY HON.
CHARLES M. STEDMAN.

UNVEILING OF PENN-HOOPER STATUE. SHORT ADDRESSES BY
DISTINGUISHED VISITORS.

MUSIC—"The Star Spangled Banner."

Procession Reformed and March to

STATUE

Then to be Unveiled.

ADJOURN TO DINNER.

DAVID SCHENCK, JR.,

Master of Ceremonies.

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